

STATE HOUSE AT JACKSON.

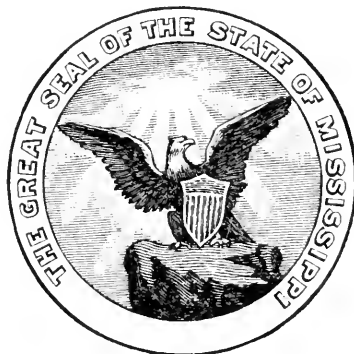
HISTORY OF MISSISSIPPI

AND

CIVIL GOVERNMENT.

COMPILED AND ARRANGED FOR THE USE OF THE PUBLIC SCHOOLS
OF MISSISSIPPI.

BY /
MARY V. DUVAL,
AUTHOR OF STUDENT'S HISTORY OF MISSISSIPPI.



With an Appendix Containing the Constitution of Mississippi,
Adopted November 1, 1890.

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INTRODUCTORY.

To the Teachers and Patrons of the Public Schools of Mississippi:

The Legislature of the State of Mississippi, session of 1892, having made the use of text-books on the History of Mississippi and Civil Government compulsory in the public schools of the State, this book, comprising the two studies, has been carefully prepared to meet the popular demand.

After many years' experience as a teacher in the public schools of the State, and as author of the "Students' History of Mississippi," the wisdom of the Legislature in making the above requirement is fully impressed on my mind. I claim that the new work, "The History of Mississippi and Civil Government," has many points of superiority over the old; and with the hope that the same may be recognized by my fellow-teachers and friends, I confidently submit it to their consideration.

MARY V. DUVAL.

SARDIS, MISS., August, 1892.

INTRODUCTORY TO FIRST EDITION.

On reviewing the "Student's History of Mississippi," I find the narrative entertaining from first to last, and replete with just such facts as should be presented to every child in the State.

Such a work will be invaluable in training our children to become patriotic citizens.

The merits of the work ought to commend it to general favor.

J. R. PRESTON,

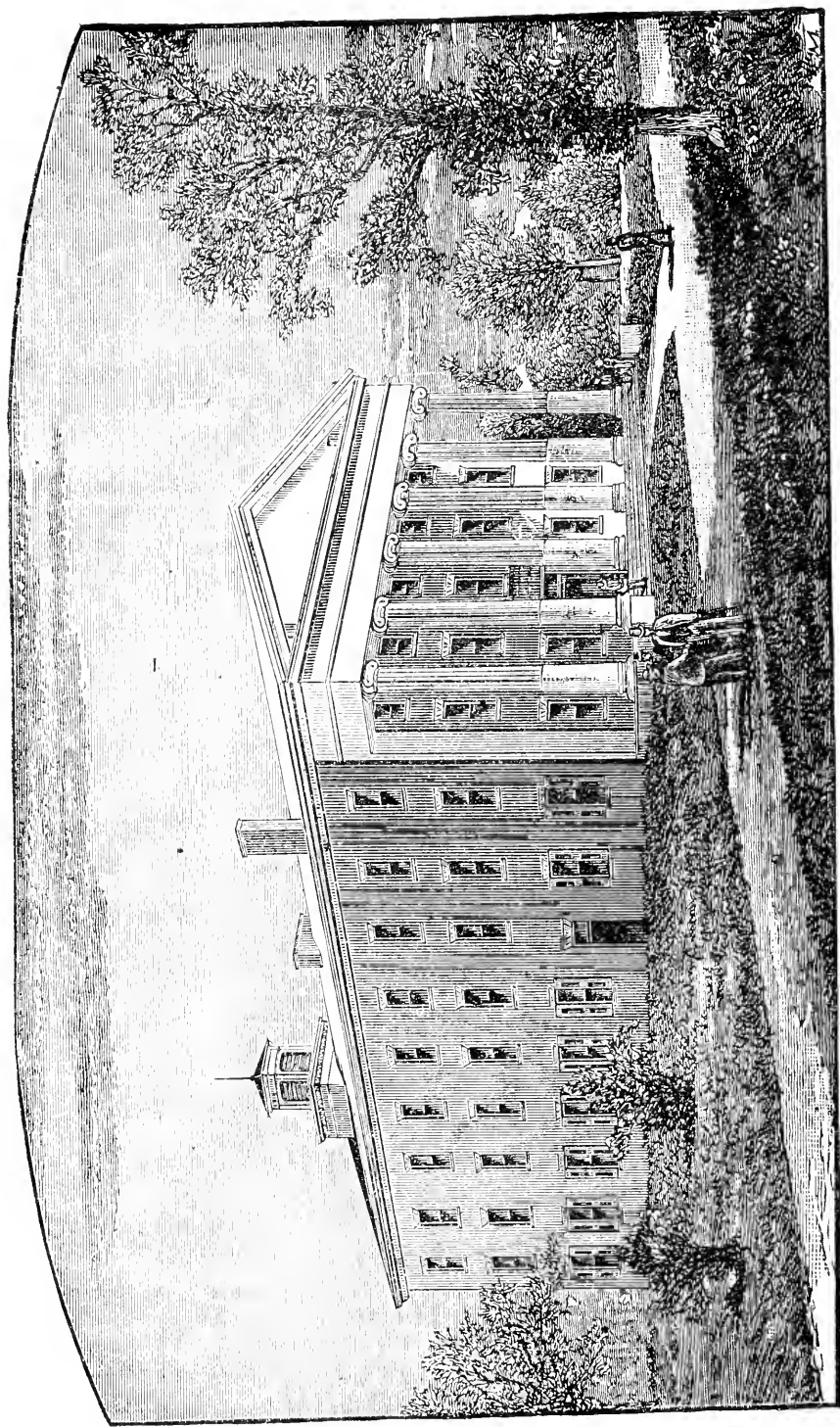
Superintendent of Public Education, State of Mississippi.

I have examined the "Student's History of Mississippi," and endorse it without qualification. We can no longer trust the history of our State to tradition. We must have authentic records if we wish to hand down to our children, unimpaired, the lives and labors of those who founded and sustained our great Commonwealth. This History has been carefully prepared from the most reliable sources, and merits a hearty recognition from the people of Mississippi. It has been adopted as a Text-Book by the public schools of Panola county, and I earnestly recommend its adoption into the schools of all other counties of the State.

J. A. RAINWATER,

Superintendent of Public Education, Panola county, Mississippi.





LYCEUM OF THE UNIVERSITY OF MISSISSIPPI.

HISTORY

OF

Mississippi and Civil Government.

CHAPTER I.

1. That vast region of country, known now as the "Mississippi Valley," was for ages unknown to any save its aboriginal inhabitants, and silence deep and profound, so far as civilized men are concerned, brooded over a region now the fairest, most populous and most fertile, perhaps, in America.

2. In 1538, Hernando De Soto, a brave but bigoted Spanish soldier, who had assisted Pizarro in his conquest of Peru, received from the Court of Spain a commission authorizing him to invade Florida, a Spanish possession in the New World.

The name "Florida" had been given to a vast and almost unexplored region in the south-eastern portion of North America by Juan Ponce de Leon, an enthusiastic discoverer, likewise in the service of Spain.

Ponce de Leon, whose name will be forever linked with that of the "Flowery Land," first set foot on the shores of that beautiful peninsular in 1512, near the spot where St. Augustine, the oldest and most historic town in the United States, now stands.

In 1512, he commenced his famous search through the

interior for the "Fountain of Eternal Youth." His invasion of their country was resented by the Indians, who surprised him while encamped in a swamp, killed most of his men and routed the remainder. De Leon, himself mortally wounded, was carried to Cuba by a few faithful soldiers, where he died in 1521.

3. De Soto's force consisted of nine hundred and fifty men. With these he landed at Tampa Bay in May, 1539, much to the astonishment of the natives, who flocked to the shell-covered beach to witness the disembarkation. The mail-clad knights, the cross-bow men, and the ponderous artillery excited their deepest wonder and reverence, and the intrepid De Soto found very little difficulty in subduing them entirely to his own ends.

One of the methods used by him was to persuade the ignorant and superstitious savages that he and his followers were the "Children of the Sun," and, as such, entitled to their profound reverence.

Turning first to the north, then to the west, De Soto traveled through Georgia and entered Alabama. Where Mobile now stands a battle between the Spaniards and Indians was fought, the natives having by this time discovered the true character of the invaders of their soil.

The thirst of the Spaniards for blood and gold seemed insatiable, and the sad story of Peru under Pizarro, and of Mexico under Cortez, was repeated on the soil of the Gulf States of America. The natives were, of course, ill-fitted to contend with the iron-hearted, steel-clad followers of De Soto, but, fighting as they did with the energy of despair, turned many of the Spanish victories into scenes of mourning for the dead and dying, with whom the battle-fields were strewn.

4. A dreadful battle between the Spaniards and natives was fought on the banks of the "Black Warrior," after which De Soto left the limits of the present State of Alabama, and entered what is now Mississippi, probably crossing the

Tombigbee river at the identical spot where the beautiful city of Columbus now stands.

The country was densely populated with Indians, who were much more friendly and hospitable toward De Soto than those nearer the seacoast had been. Bitterly did they repent their extended hospitality and welcome.

5. De Soto passed the greater part of the winter of 1540 with the Chickasaws, another friendly though brave and warlike tribe. On making preparations for departure in the spring of 1541, he requited their hospitality by demanding of their chief a large number of men to transport his baggage and stores. Indignant at this demand upon him for servile labor, as well as at the proof of ingratitude shown him, the haughty Chickasaw made a furious night-attack upon De Soto's camp, surprising his troops with showers of blazing arrows which quickly enveloped their quarters in flames. Recovering quickly from their surprise, however, the trained bands of De Soto, with their captain in front, fought their way out of the burning camp, though forced to leave their baggage and a large number of hogs and horses to perish in the flames. Some of the bravest of the foreigners fell in the conflict, while the loss of the poor betrayed natives was very heavy indeed.

6. De Soto never recovered from this attack of the Indians. His force was greatly reduced in number, his supplies were cut off, and his followers greatly discouraged by the combined attacks of sickness and the natives. His next course was in a north-westerly direction, and in May, 1541, the discovery which has immortalized his name was made.

Standing on the Chickasaw Bluff, where the city of Memphis, Tennessee, now stands, he and his proud, though worn and wearied followers, gazed in silent admiration at the tawny waters of the great river rolling below. Inquiring of the Indians, who gazed in equal surprise and admiration at their pale-faced visitors, the name of the majestic river, they

were told that it was the "Mazzezeppe," which in their language meant "Father of Waters." De Soto called it the Mississippi, and thus our grand inland stream was christened.

7. De Soto died May 21, 1542, in a rude encampment on the banks of the great river he had been the first white man to gaze upon. To prevent his body falling into the hands of the Indians, his men carried it at night to the middle of the river, and loading it with stones, deposited it beneath the waters of the Mississippi. Only a few of De Soto's band survived to reach Cuba. Their great leader gone, they quarreled among themselves, broke up into small bands, and most of them perished miserably by sickness or by the attacks of the Indians.

8. Not until one hundred and thirty-one years had passed from the time of De Soto's lonely midnight burial did the foot of European press the wilderness that extended down on either side to the banks of the Mississippi. In 1673, Marquette, a devoted missionary of the order of Jesuits, and Joliet, an enterprising trader, descended the river from the mouth of the Wisconsin to the mouth of the Arkansas. Five years afterward, the courtly de La Salle, who has been named the "Prince of Explorers," projected his voyage down the great inland stream. La Salle, like Marquette and Joliet, was a native of France, and was therefore compelled, before making this voyage, to return to the mother country for official sanction. On his return to America he brought with him Chevalier de Tonti, a one-armed veteran, the most romantic figure in all our history, whose devotion and fidelity to Robert de La Salle reads like a chapter out of some classic legend. From Canada, where the French Catholics had already obtained a strong foothold, the two friends were accompanied by Father Zenobia, a devout Jesuit, the three together making the long and perilous descent to the mouth of the Mississippi river.

9. La Salle found that the Indian tribes along the banks

of the Lower Mississippi were all sun worshipers. He was greatly interested in their evangelization, and Father Zenobia labored zealously to convert them to the religion of the Cross. The effect of the patient teachings of these devoted missionaries still lingers among the half-breeds that are scattered along the lower coast regions and around the mouth of the Mississippi.

After visiting this region, known now as the "Delta," both La Salle and Father Zenobia returned to France to report the results of the expedition. The Chevalier de Tonti remained in America, having been placed in command of Fort St. Louis, one of the most important of the French posts on the Illinois.

10. La Salle returned to America in 1685 for the purpose of planting a colony on the Mississippi. Provided with two ships, the "Joli" and the "Amiable," the brig La Belle and the ketch St. Francis, he set out with a colony of two hundred and fifty loyal French to occupy the country he had explored for his beloved France. One of the vessels, being a slow sailer, was captured by the Spaniards. The remaining vessels safely entered the Gulf of Mexico, and steering to the north-west, reached the coast some distance to the west of their intended destination. An exploring party was sent on land, journeyed along the coast and at last found a harbor where ships could anchor in safety. Two of the vessels entered the harbor, but the third struck a sand-bar and soon went to pieces. The bay entered by La Salle is now known as Matagorda.

After the colonists had landed, La Salle thinking them safely provided for, left them for the purpose of seeking the far-away French forts on the Illinois. The first expedition was unsuccessful, and he returned to find the colonists in an almost desperate condition, having been rendered so by the desertion of Beaujeu with the ship Joli and all the provisions she carried on board. The La Belle had also been wrecked

during his absence, and the forlorn colonists ascended a river upon the banks of which were innumerable buffalo. Mistaking these for cattle, they named the river *Les Vaches*, landed and built Fort St. Louis, 1686.

11. Undeterred by this strange chapter of misfortunes, La Salle endeavored to comfort the disheartened colonists and a second time set out to find rescue from the Illinois posts for their despairing countrymen. It is melancholy to relate that while on this mission of mercy the "Prince of Explorers" was treacherously murdered by one of his own followers, having been shot in the back in revenge for some real or fancied wrong.

12. In 1699, the attempt to plant a French colony near the mouth of the Mississippi was successfully made by De Iberville, a gallant soldier who had distinguished himself in the wars between France and Great Britain. With several vessels placed under his command by the Government of France, Iberville, after a fair voyage across the Atlantic, anchored on the 1st of February, 1699, in the beautiful and commodious harbor of Ship Island.

Accompanied by a strong force, Iberville left his ships and proceeded to explore the surrounding country in the hope of finding a suitable place for a settlement. With two of their ships' boats and some canoes obtained from the wondering Indians, they entered the Mississippi river March 2, 1699. The Indians proved to be kind and hospitable, and the French pursued the invariable policy practiced by their government of returning their kindness by conciliation and respect. Some of the presents given the chiefs by La Salle and Tonti were proudly exhibited to Iberville and his followers.

13. The beautiful land-locked bay of Biloxi, north of Ship Island, was chosen by De Iberville as the most suitable place for the building of his fort and the establishment of his colony. A fort was built of wood and was mounted with

fifty-four pieces of cannon. While the men were engaged in its erection they were visited by large numbers of Indians from the various tribes of the surrounding country.

These tribes, the true aborigines of our great State, were known as the Chickasaws, Choctaws, Biloxis, Pensacolas, and Pascagoulas. They smoked the pipe of peace with Iberville's men and entertained them with their war-songs and dances. Iberville returned to France in the summer of 1699 for the purpose of making his report to the Government and of obtaining supplies and re-enforcements for his colony at Biloxi. His brothers, Sauvolle and Bienville, were left in charge of the settlement during his absence.

14. Soon after the arrival of the French at Biloxi they were visited by two Catholic priests, Fathers Davion and Martigny, who were laboring as missionaries among the Indians in this portion of the country. After remaining among their countrymen for ten days, they returned to the service to which their lives had been consecrated. De Iberville reached Biloxi on his second visit December 7, 1699. He brought two ship-loads of stores for the colonists and sixty Canadian laborers. During his absence an English vessel had been seen reconnoitering the Lower Mississippi, presumably for the purpose of making settlements, and it was decided, immediately after his return, that it would be prudent to erect another fort for the protection of the interests of the French. This fort, which was built on a point of land secure from overflow, was commenced early in 1700. It stood about fifty miles above the Passes.

QUESTIONS ON CHAPTER I.

What region is known as the Mississippi Valley? Who were its original inhabitants? Who was De Soto? What commission did he receive from the Court of Spain? By whom was Florida discovered and when? What did De Soto expect to find? Why did the natives

become hostile to the Spaniards? Give the circumstances of De Leon's death? When, where, and with what force did De Soto land in Florida? What methods did he take to subdue the Indians? Describe the route followed by De Soto after leaving Tampa. What great battle was fought between the Spaniards and Indians? Describe De Soto's route after leaving Alabama. How was he received by the Indians who then inhabited Mississippi? With what tribe did he pass the winter? How did he requite their kindness? Describe the night-attack upon De Soto's camp. Describe the route pursued by the Spaniards after this battle. What discovery has immortalized De Soto's name? Describe the death and burial of De Soto. What became of his followers? How long after De Soto's death before Marquette and Joliet descended the Mississippi? Give an account of La Salle's explorations. Who was Tonti? Who was Zenobia? In what were all these explorers greatly interested? Whither did La Salle and Zenobia return after having reached the mouth of the Mississippi? With what expedition did La Salle return to America? Upon what coast were they thrown? Describe the faithlessness of Beaujeu. For what distant point did La Salle depart? Describe his murder. When and by whom was the first settlement in Mississippi made? Describe the landing and explorations of Iberville and his men. What spot was chosen for the building of the fort and the establishment of the colony? Name some of the aboriginal tribes of Mississippi. What two missionaries visited the early colonists? What *ruse* did Bienville practice upon an English captain?

CHAPTER II.

1700-1718.

IBERVILLE AND TONTI AMONG THE INDIANS.

1. In February, 1700, Iberville and his colonists received a visit from the veteran Tonti, the friend and companion of La Salle, who had remained at Fort St. Louis on the Illinois, while his friend and companion was struggling with the difficulties that beset his path in the far south-west. He was induced to remain with the colony, and his quaint residence is still shown among the antique houses of Biloxi-on-the-Bay. He had always exercised great influence over the Indians with whom he had been associated, and soon after his arrival in the colony accompanied the brothers, Iberville and Bienville, on a visit to the Natchez, a powerful tribe whose villages occupied a beautiful situation on the east bank of the Mississippi. Their chief peculiarity was their worship of the sun—their chief being known and idolized as the Great Sun.

2. Iberville and his companions were so much pleased with the location of the Indian villages and the appearance of the surrounding country that they decided to lay out a town and build quarters for a garrison there. The present city of Natchez stands on the spot selected. It was then called Fort Rosalie, in honor of the beautiful Countess Pontchartrain, wife of the Minister of France at that time. The “Great Sun” of the Natchez received his visitors with savage pomp and ceremony, delighting in exhibiting to them the number of trained warriors at his command, also a great number of naked, grinning skulls heaped in the Temple of the Sun, the remains of human victims sacrificed to the great king of day. After leaving the villages of the Natchez, Iberville and his friend visited other tribes in the vicinity, and

were received with great kindness by all. Soon after their return to Biloxi, Iberville sailed for France again, leaving his brothers, Sauvolle and Bienville, in command of the settlements on the coast and river.

3. During the first few years after the settlement of the French at Biloxi, the colonists experienced all the hardships and privations of pioneer life. The calamities usually attending such life—sickness and want of food—were experienced in all their severity. Depending entirely upon the mother-country for supplies, the settlers took no steps at first toward the cultivation of the fruitful soil around them. Governor Sauvolle died August 22, 1701, and was succeeded in command by Bienville.

In December the latter received orders from France to evacuate the fort at Biloxi, and remove to a point on Mobile river, where supplies from France had already been deposited. Fort St. Louis, built by Bienville at this point, was for nine years the official center of the colony. After that time, the site of the present city of Mobile was selected and the fort removed thither.

4. In 1702-3 the colonists suffered great uneasiness on account of the hostility of some of the Indian tribes. A party of the colonists sent by Bienville to buy corn of the natives, during a time of great scarcity, was murdered in cold blood, and the whole colony called upon Bienville to avenge the outrage.

He did so by raising a force of volunteers among his own men, and employing the services of a friendly tribe against his and their own enemy.

In 1704 the sufferings of the colonists were relieved by the arrival of a ship from France, bringing over large stores of provisions and a detachment of soldiers to protect the settlers from the outrages of the Indians. The home-sick and hungry settlers welcomed the arrival of this vessel with every demonstration of joy. The presence of soldiers in the colony

especially tended to relieve their fears in regard to Indian outbreaks and other dangers incidental to pioneer life. Several priests and Sisters of Charity of the Roman church, and a number of young girls known as "casket girls," came over on this voyage. These girls were destined to be the future wives of the brave young colonists, and were so called because the Government provided them with a bridal outfit and a trunk to carry it in. Several families of laborers also came over on this voyage, and the arrival of this ship was considered by the colonists as a new era in their history. The birth of the first white child in the colony occurred in 1705.

5. About this time war was declared between the Chickasaws and Choctaws, two of the bravest and most influential tribes of the South-west. The Choctaws were allies of the French, and the Chickasaws, on this account, became deadly enemies of Bienville and his hardy band of settlers. The colonists suffered greatly from the hostility that subsisted between the two tribes. War had been declared between England and France, and the Chickasaws were incited to renewed enmity against the French by unprincipled Englishmen, through motives of policy.

6. Much depression was felt in the colony during the years 1706-7, not only on account of the frequent Indian outrages, but from internal dissensions. The strong rule of Bienville provoked discontent among his subordinates, and reports reflecting on his management were not only circulated in the colony, but sent to the home government. In 1707 the settlements on the Mississippi sustained a great loss in the death of Iberville. He died of yellow fever July 9, 1706, while on his way to America from France.

He was, in truth, worthy of the name bestowed on him by the settlers, that of "Father of the Colony." The exposure which had cut off many—famine, Indian hostilities, the opposition and apathy of the home government—nothing discouraged his great soul. His energies never

drooped and his faith in the future of the colonies never wavered. But for the forts built at Biloxi and Mobile all the French settlements must have been swept off by the hostile Indians, and but for his indefatigable exertion and his system of supplies and re-enforcements for the colony the whole body of settlers must have perished from famine.

7. During the lifetime of Iberville a fort and supply-station had been built on Dauphine Island. In 1708 an English war vessel destroyed and carried off the greater part of the supplies, and soon afterward it was decided to remove the fort to a point higher up and more secure from overflow.

In 1708 the home government appointed a commission to inquire into the charges made against Bienville by his enemies in the colony and in France. During the interval from the time the charges were made and his triumphant acquittal, De Muys was appointed to occupy the place of governor, but died of yellow fever while on his way to the colonies on the Mississippi. Bienville was re-instated in office, the charges against him having been pronounced "false and malicious."

8. Owing to a scarcity of labor in the colony no effort had, as yet, been made toward the cultivation of the soil, though Bienville had always insisted that the colonists could be made self-supporting. In 1709 the home government recommended a plan for the importation of slaves from Africa, but it was not adopted. In 1710 the French Government, which, since the death of Iberville, had derived but little profit from the colony, made a grant of its possessions, including the whole of Louisiana from the sea to the Illinois, to Anthony Crozat, a rich merchant of France. He was to have exclusive control of the French possessions for a term of fifteen years. One of the stipulations made by Crozat to the French king was that he was to have sent annually from Africa to the colony a cargo of negro slaves, and from France two ship-loads of immigrants. In 1712 the

number of persons in the colony had increased to about five hundred, of whom about fifty were white women and children.

9. A new Governor and Board of Directors for the colony were appointed soon after the transfer of Louisiana to Crozat. The Governor, a French officer named Cadillac, opposed systematically all the plans of Bienville and his brothers. Soon after his arrival in the colony the official residence, which had been established in Mobile by Iberville, was changed to Biloxi, on a bay of the same name, now one of the most noted health resorts of the entire gulf coast. The old fort that had been built by Iberville with such care had been burned down and a new one was built directly fronting Ship Island, at what was afterward called New Biloxi. This beautiful town, now containing many thousands of inhabitants, still retains many of its primitive French features, and a large number of its inhabitants are still typical French Catholics. Bienville still retained his commission as lieutenant of the king's army, and, in spite of the obstacles thrown in his way by the Governor and his party, continued to labor for the good of the colony.

10. In 1716, the Natchez Indians made war upon the French settlers, robbing and murdering whenever an opportunity offered. Bienville, with a small detachment of soldiers and marines, succeeded, by a well-devised plan, in obtaining possession of the persons of the principal chiefs among the Natchez, the "Great Sun" himself being one of the number.

Before promising their release, he demanded the lives of those who had been chiefly instrumental in the murder of his countrymen.

He also demanded compensation for the robberies committed by the Indians, and exacted a tribute of a given amount of timber to be used in the construction of a fort at their village on the river, where Crozat had already established a trading-post.

11. The Natchez chiefs, in order to preserve their lives and liberty, were glad to accept the terms of Bienville, and peace was concluded after the offenders had been put to death. The Indians assisted in building the fort, which was of durable materials and surrounded by a deep ditch and earthworks. In honor of the wife of one of the French Ministers, it was named "Fort Rosalie." Soon after the termination of the "First War with the Natchez," Cadillac was removed from the government of the colony and L. Epinay appointed in his place. Pending the arrival of the new governor, Bienville was to administer the affairs of the colony. L. Epinay was accompanied, on his arrival, by three companies of soldiers, a number of laborers and large quantities of supplies for the colonists.

12. In 1717, Crozat surrendered his charter to the king of France, being unable any longer to comply with the terms of the bargain made in 1710. The famous Western or India Company, known also as the "Mississippi Scheme," or "Bubble," of which John Law was director, was chartered in September, 1717, and Bienville re-instated as governor of the colony. The terms of the charter granted to this company extraordinary privileges for a period of twenty-five years. The African slave-trade was immediately inaugurated, the company binding itself to introduce three thousand Africans into its possessions. Large numbers of emigrants were also sent over, large grants of lands were made and numerous plantations opened. Pascagoula, an old Indian village, was selected as a home by sixty emigrants from France. A beautiful legend hangs about this attractive spot on the shores of our gulf.

A gentle tribe of Indians, known as the Pascagoulas, had been almost exterminated by the combined attacks of the white men and their fiery enemies of their own color. Preferring death by their own acts rather than captivity to either foe, a small remnant of the band—all that was left—ranged

themselves along the shores of the Gulf of Mexico and hand-in-hand marched, one moon-light night, into the raging waters, singing as they went to meet death the ancient war-song of the Pascagoulas. The legend says that until this time, on moon-light nights, still may be heard the low, sad song of the tribe beneath the waves, whose murmur is, "Pascagoula ! Pascagoula ! "

QUESTIONS ON CHAPTER II.

Who visited Biloxi in 1700? Describe the Natchez Indians—their worship. What fort was erected on the present site of Natchez? How were Iberville and Tonti received by the "Great Sun?" What hardships did the early settlers of Mississippi undergo? When did Sauvolle die, and by whom was he succeeded as governor? To what point was the fort removed from Biloxi? How long afterward before Mobile was founded? What caused great uneasiness among the colonists in 1702-3? What Indian outrage was Bienville called upon to avenge? How were the sufferings of the colonists relieved in 1704? What class of religionists came over in this vessel? Who were the "casket girls?" When was the first white child born in the colony? What two tribes of Indians declared war against each other about this time? What tribe became an ally of the French; of the English? What caused internal dissensions among the colonists? When did the death of Iberville occur? What was he fondly styled by the colonists? Describe the efforts he made to sustain the colonies amidst the dangers by which they were surrounded. Why was it decided to remove the fort from Dauphine Island? What charges were made against Bienville? Were they sustained? To whom were the French possessions transferred in 1710? What stipulation was made regarding African slavery? Population of the colony in 1712? Who was made governor of the colony under Crozat? What changes were made in the government of the colony? To what place was the official residence removed from Mobile? Describe Biloxi. What Indian war ensued in 1716? How did Bienville punish the Natchez? What terms were made with their chieftains? Who was appointed governor in the place of Cadillac? When and why did Crozat surrender his charter to the king of France? Tell what you know of the "Mississippi Bubble." Tell of the legend of the Pascagoulas.

CHAPTER III.

1718-1732.

1. In March, 1718, the present site of New Orleans was selected by Bienville as the capital of the colony. Some of



BIENVILLE.

the members of the council were in favor of making Natchez the capital, but Bienville's influence decided the matter in favor of New Orleans. If Iberville may with justice be styled the "father of the colony" at Biloxi, Bienville may with equal truth and justice be styled the "father of New Orleans," as he it was who laid deep and broad the foundations of her commercial prosperity.

2. No braver figure stands out in modern history than that of Lemoyne Bienville, the tenth of eleven brothers, all of whom gave their lives and fortunes to the civilization of America. The names of several of the brothers are closely identified with the history of Mississippi, and several of them sleep beneath her sod. Without Bienville, however, many a page in our State's history would have been a blank. Having assisted his illustrious brother, Lemoyne de Iberville, in laying the foundation of the colonies on the Lower Mississippi and the Gulf Coast, he remained for forty years the central figure in their annals, brave, sagacious, adventurous, and above all, patriotic.

The welfare of the French possessions was the chief aim of his life.

3. In 1719, the colony was involved in the war between France and Spain. Bienville and his brothers burning to avenge the wrongs of France, proceeded with a force of about two hundred men to Pensacola, where a Spanish garrison was stationed. The garrison surrendered to them without bloodshed, but the place was afterward recovered from the French by a body of Spanish soldiers sent from Havana for that purpose.

Bienville, who had returned home, received unexpectedly, soon afterward, large re-enforcements from France, and at the head of these and his Canadian and Choctaw soldiers, he boldly stormed the fort, which, after a stubborn resistance, was again surrendered to him.

4. In 1720, the Chickasaw Indians again declared war against the colonies. In July, of this year, the first cargo of negroes was brought to the colony. Yellow fever was also introduced during this summer, having been imported from the West Indies. Large numbers of immigrants arrived this year, and large tracts of land were opened for cultivation. By 1721, the slave trade was fully inaugurated, the council fixing the price of slaves. The population of the colony by this time had increased to six thousand, of whom six hundred were negroes.

In 1722, a colony of Germans arrived. Their thrift and industry soon proved that a valuable accession to the former population had been made. They engaged chiefly in agriculture, and soon induced others of their countrymen to follow.

5. The year 1722 saw the bursting of the famous "Mississippi Bubble," a scheme which had thrown the whole civilized world into confusion, and had reduced princes and noblemen from the height of fortune to the depths of poverty. Copper money coined in France for the express use of the

colonies was sent over this year. Up to this time, some of the members of the council had still hoped that Natchez or Biloxi might be selected as the permanent seat of government for the colony, but the influence of Bienville decided the question, and New Orleans was fixed upon. Pensacola was restored to Spain this year.

6. In 1723, a tornado swept the country, destroying many of the public buildings of New Orleans, and doing great damage to the crops of the colonists, who, by this time, had become convinced of the fact that theirs was an agricultural country.

In 1724, a law establishing the Catholic religion in the colony was passed by the home government; also one expelling the Jews from the settlements.

In 1725, the "Second Natchez War" broke out. This proud and jealous tribe—the "Natchez" or "Sun Worshipers"—had always considered the presence of the white man in their midst as an intrusion upon their inalienable rights, and only the sight of blood could satisfy their revengeful feelings. Upon a very slight pretext, they ambushed themselves near the settlements of the whites, murdering the inhabitants in cold blood, and driving off the cattle and horses of the peaceful settlers.

The vigilant measures of Bienville alone prevented a general uprising of the tribe, with its numerous allies. Placing himself at the head of five hundred chosen men, he invaded their territory and attacked them without mercy. Their villages were laid in ruins, their crops were destroyed, and they were compelled to sue for peace. It was granted only on condition that one of their chiefs, who had been active in the insurrection, should be put to death.

7. After the termination of this war, Bienville sailed for France. Although he had performed so many signal acts of service for his country directly, and for her indirectly, through his loved colonies, the attacks of his enemies became

so malevolent that it became necessary for him to return again to France to disprove the charges brought against him, and thus vindicate his official character. His enemies, however, triumphed for a time, and the brave Bienville, who, since the death of his gifted brother, had managed successfully the affairs of State, was forced to retire for awhile to private life.

It mattered little to his enemies at the corrupt Court of France or among the canebrakes that lined the mighty Mississippi, that he had performed such prodigies of valor and usefulness for his beloved colonies.

He had explored the gulf, the main body of the great river which pours its volumes of water into that gulf; had, with his light priroque, ventured into all the dark lagoons, bayous and lakes that form such a net-work near the mouth of the Mississippi; had conciliated the savages by diplomacy or conquered them by his sword; had established numerous ports, and opened by them regular channels of inter-communication; had constantly, but in vain, recommended the cultivation of indigo, sugar-cane, maize and cotton as the basis of colonial prosperity; but all of this counted for nothing against the gay and giddy courtiers whose malicious charges were too eagerly listened to by the Government of France. He was received at court with great coolness, and was soon notified that his country needed his services no longer. Conscious of his own innocence and of the swift approach of a time when his arm alone could save the colonies, Bienville retired again to the shades of private life.

8. On the corner where two narrow streets make an angle in the heart of the "Old French Quarter" in New Orleans there is still shown the first substantial house built in the city of New Orleans. It is constructed of small, old-fashioned, sun-dried bricks brought for the purpose from across the seas—from France, the beloved, but ungrateful, country of Lemoyne Bienville. It was in this small, tile-covered,

one-storied house that he, while Governor of Louisiana, held his private and official residence. There is nothing in the appearance of the house to indicate that here one who served Louisiana and Mississippi colonies for forty years once lived, and it is only on rare occasions that the curious stranger is apprised of the character of the quaint old dwelling. But Bienville's reputation seeks not a "local habitation or a name;" it is the property of all who love the deeds of great and daring men.

9. The absence of the Governor was deeply deplored by a large number of the settlers on the Mississippi, who realized that a time was rapidly approaching when his absence would be looked upon as nothing less than a public calamity. His successor in the government of the colony was Perier, a man well known in the military service of France, who reached the Mississippi colonies in 1727.

The year 1729 is memorable in the annals of the colony on account of the bloody massacre of the French settlers at Fort Rosalie on the Mississippi, and at Fort St. Peter on the Yazoo. The Indians, aware of the absence of that strong arm which had so long kept them in subjection, began at once plotting for the extermination of all the white settlements in their midst.

10. The Chickasaws had long been the open and avowed enemies of the French, and the haughty Natchez cherished dark visions of revenge for the severe treatment accorded them by Bienville. An alliance was formed between these two powerful tribes, based on the agreement that the two French settlements, Fort Rosalie and Fort St. Peter, were to be destroyed by a preconcerted attack.

A day had been agreed upon by the chiefs of the two tribes in which a joint attack upon the French was to be made, but the Natchez, burning with revenge, impatient of delay and eager for blood and plunder, resolved to strike a fatal blow in advance of the appointed time.

11. On the 29th of November, 1729, a band of the Natchez, under the pretext of wishing to purchase ball and powder for an extended hunting expedition, treacherously introduced themselves into the palisaded walls of Fort Rosalie. At the same hour another band entered the village of Natchez, and still a third, with horrid shoutings and menacings, invaded the peaceful settlements lying adjacent to the town and fort. Never was surprise more complete or vengeance more thoroughly satiated. After the party within the fort had secured from the unsuspecting garrison all the arms and ammunition necessary for the accomplishment of their murderous purpose, a signal was given and a general massacre was commenced by the three divisions of the Indians. The work of destruction was soon accomplished. The fiendish butchers spared neither age nor sex as long as they remained sober enough to aim the deadly tomahawk fairly. A large quantity of liquors was stored within the fort, and the savages soon became intoxicated, drinking as they did without restraint, and in a short while a large number of the painted, hideous savages were lying around on the ground within the walls of the fort in a drunken stupor. But for this, perhaps, not one would have been left alive within the fort. As it was, two white men escaped and a large number of frightened, horrified women and children huddled together in one room, were reserved by the savages for a fate worse than death—slavery. The lives of the negroes were spared for the same purpose. The slain bodies of men, women and children were thrown without the walls and remained there for days a hideous sight to the captive survivors within.

12. On the 12th of December of the same year Fort St. Peter, on the Yazoo, was attacked by a band of the Yazoo Indians, who were confederates of the Natchez, and the whole garrison, with the exception of a few women, was murdered. The same sickening scenes that attended the

slaughter at Fort Rosalie were re-enacted here. News of this dreadful massacre was carried to New Orleans by a Catholic missionary who, descending the Mississippi in a small boat, narrowly escaped death at the hands of the Indians. The whole body of settlements along the Lower Mississippi and the Gulf Coast was thrown into the utmost consternation by the dreadful news, and the authorities were urged to take immediate vengeance upon the savage perpetrators of the cruel and cowardly butcheries. The new Governor was inexperienced in Indian warfare, and the waters of the Atlantic rolled between the mourning colonies and their natural protector, Lemoyne Bienville. The colonial officials realized the fact that there was no time for delay, and that whatever action must be taken in behalf of the helpless women and children, prisoners in the hands of the Indian captors at Fort Rosalie, must be done quickly. Governor Perier, yielding not only to his own inclinations but to the popular demand, at once dispatched two forces, one by land, another by water, against the murderous Natchez. A general uprising of the Indian tribes was apprehended. New Orleans was put in a state of complete defense, militia companies were organized, volunteers, singly and in companies, offered their services to the Governor, and brave and practiced scouts were sent to the various settlements to arouse the inhabitants to a sense of the danger that menaced them.

13. The Choctaws were readily enlisted in behalf of the French, with whom they had long been allied, and the force sent through the country to Natchez by Governor Perier was composed principally of these wild warriors of the woods. They were led by Le Seur, a Frenchman, who had fought under Bienville, and who was well acquainted with the mode of Indian warfare. Loubois, another brave and experienced French officer, led the river forces.

14. The Natchez, unconscious of the approach of either army, were celebrating their success by a series of drunken

revels. On the 27th of January, 1730, they were surprised in the midst of their furious orgies by a fierce attack made upon them by their old enemies, the Choctaws, under Le Seur. Sixty Natchez warriors were killed and the same number of white women and children released from their cruel bondage. One hundred and fifty negroes were also liberated by this attack.

The Natchez were panic-stricken, and retreated to the forts. The guns and ammunition of the murdered garrison were appropriated to their own use.

15. Unfortunately for the entire success of this campaign, the land and river forces of the French were each in utter ignorance of the presence of the other on the scene of action until Loubois had been in front of Natchez for several days.

In these days of perfect concert of action between the different commanders in a campaign such an oversight would seem to be impossible, but it must have been due to the fact that in Indian warfare great secrecy and perfect silence must at times be observed. Besides, the camp of the Indians lay directly between the two armies, effectually cutting communication between the commanders. As soon as Loubois was apprised of the attack made on the enemy by the Choctaws, he effected a landing and joined his forces to those of Le Seur on the concession of St. Catharine, not far from the fort in which the Natchez had gathered for a stubborn resistance.

16. The French laid regular siege to this fort, having several cannon mounted upon their intrenchments and trained to bear directly upon the position of the enemy. Skirmishes between the besieged and besiegers were of frequent occurrence, and several parleys were held, but nothing definite was accomplished before the 22d of February, when the Natchez agreed to surrender the women and children still in their hands on condition that the French should with-

draw their batteries and cease firing upon the fort. This proposal was accepted by the French for the sake of the captive women and children, and a truce of five days was agreed upon. The batteries were silenced, the women and children given up, but the Natchez, availing themselves of the cessation of hostilities, evacuated their strongholds, and before the French were aware of their design had escaped beyond the possibility of pursuit. They doubtless realized that no quarter would be shown by the infuriated Frenchmen should they fall into their hands.

After constructing fortifications on the bluff at Natchez and stationing a garrison there, the two commanders, Le Seur and Loubois, returned to New Orleans, carrying with them many of the helpless widows and orphans of Fort Rosalie.

17. The Natchez Indians, after their midnight retreat from Fort Rosalie, crossed the Mississippi, and were never afterward as a tribe known east of its waters. Some members of the tribe took refuge with the Chickasaws and became identified with their tribal relations. The main body of the retreating host halted on the first high ground reached west of the river, supposed to be a spot on the Ouachita river, Louisiana, about forty miles from Natchez. Here they fortified themselves so securely as to maintain their position until January, 1732, when their retreat was penetrated by the French under Perier. In the contest that followed this once powerful tribe was well-nigh exterminated. Those escaping death or captivity joined themselves to other tribes, and the Natchez as a distinct nation ceased to exist.

QUESTIONS ON CHAPTER III.

Through whose influence was New Orleans chosen as the capital? What of the character of Bienville? Of his family? What of the capture of Pensacola by the French? Its re-capture by the Spaniards? Its capture again by Bienville? What tribe declared war against the

colonies in 1720? For what else is that year memorable? Inauguration of the slave trade and population of the colony by 1721. German colonists? Bursting of the Mississippi Bubble? What disaster swept the country in 1723? Law establishing the Catholic religion? What of the "Second Natchez War?" How did Bienville again become the "Saviour of the Colonists?" Why did it become necessary for him to return to France? How did his enemies triumph for a time? Mention some of his past services? How was he received at the Court of France? Describe the official residence of Bienville still to be seen in New Orleans. Who was the successor of Bienville? What was his character? For what is the year 1729 memorable in the annals of the colony? Between what two warlike tribes of Indians was an alliance formed? Upon what was this alliance based? Why did the Natchez strike before the appointed time? Describe the attack upon Fort Rosalie. The butchery of the garrison. Consequence of the drunken stupor of the Indians. How many of the garrison escaped? Fate of the women and children? Of the negroes? When was the attack on Fort St. Peter made? By what tribe? How did the news of the massacre reach New Orleans? What were the authorities urged to do? Prompt action of Governor Perier? What was apprehended by the people of New Orleans, and how did the authorities prepare to meet the danger? What tribe remained faithful to the French? Who led the land forces to Fort Rosalie? The river forces? How were the Natchez celebrating their victory over the whites? By what were they surprised? Tell of the events of the attack. What prevented this campaign against the Natchez from being an entire success? Describe the siege of the fort, the skirmishing, terms of treaty. The truce. Escape of the Natchez. Action of Le Seur and Loubois. Whither did the Natchez flee? Their first resting-place? Attack of Perier and extermination of the Natchez as a tribe?

CHAPTER IV.

1732-1780.

1. The charter of the colony of Georgia was issued in 1732, and the greater portion of that year was spent by Oglethorpe, the founder, in securing a suitable population for his new community. This year brought about important changes also for the French colony on the Mississippi. The Western Company, which had exercised supreme control over it since 1717, became bankrupt, and the king of France was forced to take charge of his own again. In 1735, the aged Bienville was recalled from his seclusion and again, amid the rejoicings of a grateful people, appointed governor-general of Louisiana.

He had lost none of his ambition or military ardor, and he resolved at once to take such steps as would free his countrymen forever from the dread of Indian supremacy. The colonists in their turn, inspired by the presence of their white-haired leader, prepared themselves to follow him to victory or death.

2. Bienville's first movement was against the Chickasaws, who had been implicated with the Natchez in the massacre at Fort Rosalie. They had long been deadly enemies, not only of the French, but also of their allies, the faithful Choctaws. Hoping to crush their pride by a decisive blow, Bienville left New Orleans, March 23, 1736, with a large force of whites, Indians and negroes. The weather was disagreeable, and the road through the prairies to the Chickasaw country was of the worst possible nature. The Chickasaws occupied a very fine region, their villages being scattered over a portion of country from the Cumberland to the Mississippi river. The main portion of the tribe was

located on the Tombigbee river, and here Bienville decided to strike his first blow. On the 20th of May he attacked one of their principal towns, in what is at present Lee county, Mississippi, but found it much more strongly fortified than he had reason to suspect, and his troops were repulsed with great loss of both officers and men. The Chickasaws had not only copied the system of warfare used by the French, but were directed from within by English traders experienced in the art of war.

3. The soldiers of Bienville fought with their usual intrepidity, advancing again and again to the attack, and being as often repulsed, until, finally, after a very heavy loss of both officers and men, they were compelled to retreat to their boats on the Tombigbee, leaving the dead and wounded in the hands of the enemy, and forced for the present to give up all thoughts of conquering the indomitable Chickasaws. A reinforcing party, sent from the French posts on the Illinois to assist in this campaign, fared even worse than the main body of the army, having been surprised, surrounded and cut to pieces by the Chickasaws, only a few escaping to tell of the sad fate of the remainder.

4. The bodies of the dead left in the hands of the savages after these battles were subjected to great indignities. Those unfortunate enough to be made prisoners were tied to stakes and roasted to death over a slow fire. The Chickasaws were, of course, more insolent and aggressive than ever after the defeat of Bienville, who spent the greater part of the year 1738 in reorganizing his forces, his men clamoring to be led against the savages that they might avenge the slaughter of their former comrades. By the beginning of the year 1739, Bienville had gathered together an army of about twelve hundred men—whites—and twice as many Indians, with which he hoped to be able to humble the pride of the Chickasaws, even if he did not succeed in conquering and driving them from the country.

5. Bienville landed at the mouth of the St. Francis river about the first of July, 1739. His plan was to cross from there to the mouth of the Wolfe river, and from thence descend with his formidable army into the heart of the Chickasaw nation. A supply station and hospital were established at the mouth of the St. Francis. During the months of July and August, in that year, the heat was intense even for that semi-tropical climate, and by the end of the summer months sickness had made deep inroads upon the strength of Bienville's army.

After the heat began to subside, the army—or that part of it able to travel—was moved to the mouth of Wolfe river, where it lay in helpless inactivity during the whole of the fall and winter months and until the early part of the spring. A fort called Assumption was built at this point.

6. About the 20th of March, 1740, Celeron, a French officer, who had command of a detachment of French and Indian troops, was sent out with secret instructions to treat with the Indians, though, ostensibly, his mission was to procure supplies for the army. The Chickasaws had over-rated the strength of the invading army, and thinking that Celeron's detachment was the advance-guard of an immense force, were very easily induced to enter into a treaty of peace. Had they known the real condition of the French army it might have been a more difficult matter to induce them to consent to this amicable arrangement.

7. This campaign terminated the military career of the great Bienville, his management receiving severe blame, both throughout the country in which his campaigns had so ingloriously ended and in France, where he soon afterward returned, bowed down by griefs and misfortunes. He retired once more to private life, his last years obscured by the shadows of defeat and misfortune. He died in Paris, at an advanced age, and feeling keenly the malice of his enemies and the ingratitude of his country. He was suc-

ceeded as governor-general of the colony by a polished statesman and courtier, the Marquis de Vaudreuil.

8. All the skill and sagacity of the new governor were called into requisition by the state of affairs existing in the colonies on his arrival at New Orleans. The Chickasaws had learned of the true condition of the French army at the time articles of peace were signed, and they were indignant at what they considered the deception practiced upon them by Celeron.

To ascertain the temper of Vaudreuil, however, they sent a delegation to New Orleans to treat with him. The new governor was an adroit statesman, a diplomat trained at the Court of France, and he declined to treat with the Chickasaws except in conjunction with their hereditary enemies, the Choctaws. He discovered and defeated a plan by which the Chickasaws were striving to induce all the tribes friendly to the French to join with them under the English flag and prosecute the war to the extermination of the French colonies.

In 1754, with a strong force of white and Indian troops, he entered the Chickasaw country, following up Bienville's old route of nearly twenty years before.

9. Finding the Chickasaws still more strongly intrenched for defense and much better versed in the art of war than in Bienville's day, Vaudreuil contented himself with devastating their fields and destroying whatever property fell in his way. Anything more he believed would involve a useless sacrifice of men. Had the Marquis de Vaudreuil been continued in office, it is probable he would have proven more than a match for the wily Chickasaws; but soon after his invasion of their country he was transferred to Canada—more important in the eyes of the French Government than Louisiana—and Kerlerec, a French naval officer, appointed in his stead as governor of the colony. In November, 1762, the famous "secret treaty," by which the king of France

presented to his royal neighbor, the king of Spain, the whole of Louisiana, was signed at Paris. In 1763, Great Britain, France and Spain entered into a treaty, signed at Paris, by which both France and Spain, ignoring the existence of their "secret treaty," transferred their most important possessions east of the Mississippi to Great Britain.

10. Now all that vast domain which had been added to the French crown at the cost of so much blood and treasure, the colonies for which Iberville and Sauvolle had given their lives, for which Bienville had sacrificed forty years of his life, giving up the hope of making a brilliant record in France, the colonies for which Perier fought and Vaudreuil diplomatized, passed into the hands of the English, the hereditary foes of France.

The flag of St. George floated from the battlements of Mobile, Biloxi, Natchez and the settlements on the Tombigbee, over a people loyal to the core to the "lilies of France." Spain retained none of her possessions east of the Mississippi, except the island of New Orleans.

11. With English rule, however, laying aside all national sentiments, a new and better era dawned upon the colonists. The possessions acquired from France and Spain by the treaty of 1763 were divided by Great Britain into two large provinces, known as "East" and "West Florida." The latter embraced that portion of the present State of Mississippi as far north as a line drawn east from the mouth of the Yazoo river. A vast amount of litigation afterward arose as to the precise wording of the treaty in regard to boundary lines, and conflicting claims were set up, both by governments and individuals, as to whom jurisdiction over the disputed territory belonged.

12. The French settlers in the colonies were at first violently opposed to British rule, and many cases of insubordination came up, but in process of time they became reconciled, and finally the most obstinate were compelled to

acknowledge, in view of the development of the commercial and agricultural resources of the country, that the change had been beneficial. A new class of emigrants was attracted by the mild but firm rule of the English; and, instead of depending upon a government across the waters for support, these turned their attention toward the development of the vast natural resources of the country around them. The change in the class of population was not more marked than in the character of the governors sent to administer the affairs of the colony. The rule of the gay, chivalrous, pleasure-loving French officers was over; that of the practical, energetic Englishmen had begun.

13. The first governor sent out by the English was George Johnson, a Scotchman by birth, who brought with him a regiment of native Highlanders to assist in discharging the duties of his office. He arrived at Pensacola, the seat of government for the province of West Florida, in 1764. One of his first official acts was the changing of the names which the French had bestowed on different stations in the colony.

Fort Rosalie, at Natchez, was in this way called Fort Panmure, after one of the British ministers. The French names throughout the colony were carefully obliterated, much to the disgust of the old French settlers. Governor Johnson, notwithstanding his British prejudices, made a wise and efficient ruler. He made such advantageous treaties with the Indians that public confidence was established and the population steadily increased, not only from England, but from the older American colonies in the South and Southeast. The trouble between the King of England and his colonies on the Atlantic coast of America was just beginning to make itself felt, and those subjects of his Majesty in Georgia and the Carolinas who anticipated war, yet wished to preserve a strict neutrality, emigrated largely to the new English dominions nearer the Mississippi river, and were

welcomed as valuable accessions to the population of the young and vigorous country.

14. Governor Johnson was succeeded in office in 1770 by the Hon. Montford Brown, who was noted chiefly as the possessor of immense wealth. Governor Johnson's removal was much regretted by the people to whom he had administered justice for a period of six years. Governor Brown remained in office only one year, being then succeeded by Hon. Peter Chester, who consumed most of the time of his administration in trying to settle conflicting land grants and boundary lines.

15. By 1771-2, the colony had become almost self-sustaining. All the necessities of life were raised in great abundance and with little trouble. Cattle, hogs, corn and poultry were the farm products of the province in 1776. Rude but comfortable log houses, each surrounded by its orchard of fruit trees, were gradually supplanting the huts built by the first settlers, and the whole country gave evidence of the prosperity which follows thrift and industry. During the year 1776, while the eastern colonies were in the throes of the Revolutionary War, peace, prosperity and contentment reigned in the colonies of which we write, only the echo of the great struggle on the border-land penetrating to these quiet haunts.

16. In 1777-9, the province was agitated by the controversies that sprang up between the Spanish rulers of Louisiana and the British rulers of West Florida. In 1779, these disputes terminated in actual hostilities when Galvez, civil and military governor of West Florida, attacked and captured Fort Bute at Manchac, the fort at Baton Rouge, and Fort Panmure, at Natchez. Following up these brilliant conquests in 1780, Galvez stormed and captured Mobile, then proceeded to Pensacola, which, after a month's siege, surrendered. This put an end to British dominion in West Florida. After nineteen years of unbroken prosperity under

English rule, the province passed into the hands of the Spaniards.

QUESTIONS ON CHAPTER IV.

Who was the founder of the colony of Georgia? How did he occupy the greater portion of the year 1732? What important changes were wrought this year for the colony on the Mississippi? In what manner did the colony again come under French rule? Who was made governor-general of Louisiana? Upon what steps did he resolve? Against what tribe were his first movements directed? Describe the march through the Chickasaw country and the disastrous attack upon their villages. From whom had the Chickasaws copied their system of warfare? How fared the reinforcements sent Bienville from the posts on the Illinois? Desecration of the bodies of the dead? Tortures practiced on the living? How did Bienville spend the greater portion of the year 1738? How large an army had he raised by the year 1739? Give Bienville's plans for the campaign of 1739-40. The sequel to those plans? What secret instructions were given Celeron? Show how the Chickasaws were induced to treat with the French. What did this campaign terminate, and why? How were Bienville's last days spent and where did he die? By whom was he succeeded? State of affairs when the new Governor reached New Orleans? Character of Vaudreuil? What plan of the Chickasaws did he defeat? In his expedition into the Chickasaw country what policy did he carry out? To what French province was Vaudreuil transferred, and who succeeded him in Louisiana? What of the famous "secret treaty?" Treaty by which this was ignored? Into whose hands did the French possessions east of the Mississippi now fall? What alone did Spain retain of all her possessions east of the Mississippi? What dawned with English rule? How did Great Britain divide the immense territory secured by the treaty of 1763? To what province did Mississippi belong? What caused a vast amount of litigation? How did the French settlers become reconciled to British rule? What class of settlers was attracted by the change of governments? First English governor? One of his first official acts? Character of Governor Johnson as a ruler? Causes of increase in the population? Who succeeded Governor Johnson, and when? Successor of Governor Brown? How did the colony become self-sustaining? By what was the province agitated in 1777-9? How did these disputes terminate? Into whose hands did West Florida now pass?

CHAPTER V.

1781-1795.

1. Natchez and the surrounding district had for a long time after the massacre at Fort Rosalie remained uninhabited except by a small garrison of soldiers. After the treaty of 1763, by which the country exchanged French for British rule, a very superior class of emigrants settled in Natchez and the surrounding country. Many of them were of a class already alluded to, who wished to take sides with neither in the impending conflict with king and colonies; nearly all were land and property-holders, either on a large or small scale. During the war between Spain and Great Britain, these settlers, though nearly all were Americans, were enlisted in sympathy with the British. After the capture of Fort Panmure by Galvez, but before the fall of Pensacola, they conceived the idea of recapturing the fort from the Spaniards and holding it either for the English or American forces. Many of them were retired officers either from the English or colonial armies, and preferred any rule to that of the Spaniards.

2. They were encouraged to undertake the capture of the fort by the report that large reinforcements from England were then on the way to redeem the province from the Spaniards. They also received instructions from the British commander at Pensacola to seize and hold the fort until he could send them reinforcements. Following the lead of Colonel Anthony Hutchins, these brave men, on the 22d of April, 1782, succeeded in retaking Fort Panmure, making prisoners of the garrison and planting the flag of England on the ramparts. While forming plans for further resistance, they were astounded by the reception of the news that

Pensacola had fallen and that the whole province of West Florida had been surrendered to the Spanish authorities.

3. Before the consternation with which these evil tidings were received had subsided, a Spanish fleet crowded with soldiers appeared in front of Loftus Heights. Nothing was left the brave veterans, who had defied Spanish authority, save instant flight. The story of their wanderings and sufferings, accompanied as they were by their helpless wives and children, makes up one of the saddest pages in our colonial history.

Many of them died on the way, a lonely wilderness stretching between Natchez and Savannah, Georgia, the nearest British settlement. Only a remnant of the original party succeeded in reaching that point. The Spanish showed unexpected clemency to those who fell into their hands, probably believing that the best way to reconcile the people to a change of government was to adopt a conciliatory course in their treatment of them.

4. Francis Collet, whose official residence was at Natchez, was the first governor appointed by the Spaniards after their conquest of West Florida. During the next ten years the province was ruled successively by Trevanion, Don Estevano Miro, Piernal, Don Francis Boulingy, Don Carlos Grand Pre, and lastly Don Manuel Gayoso, who was so universally esteemed as to be spoken of as "Gayoso the Good." Revolutionary measures died out under his administration, and the country became satisfied with Spanish rule. Land grants were obtained on easy and liberal terms, though there were many conflicting claims over unsettled grants and disputed boundary lines.

5. The tobacco crop was the first grown for exportation in the Natchez district. From fifteen hundred to two thousand pounds per acre was the average yield, and it was sold at two dollars per hundred weight. At one time tobacco threatened to rival cotton as a staple. It was not until

indigo-planting had been tried without success or profit that the public mind turned toward cotton, which seemed from the first to be wonderfully adapted to both soil and climate. Cotton had been cultivated in the colony as far back as 1722, but on an exceedingly small scale. Bienville referred to its cultivation in one of his dispatches to the home government, and small quantities of it were sent to New Orleans during the administration of De Vaudreuil.

6. Slavery was introduced into the French colonies by the direct authority of the king of France, so that neither the early settlers, nor their descendants, can be held responsible for its existence among them. Many philanthropists of that day believed that the civilization of Africa would be accomplished by the return to her shores of converted freedmen.

7. The rule of the Spanish governors of the province was characterized by great tolerance, in both civil and religious matters. There was no persecution for conscience sake, every man being allowed to worship God in the form that suited him best. The early settlers of Mississippi, not including the French settlements, were Protestants, having emigrated mostly from the older Southern States. Their Spanish rulers were, of course, Catholic, but made no attempt to force their religion upon the people.

8. The conquest of West Florida by Spain was made in the face of the protest of the United States Government, which now laid claim to this territory. Spain and the State of Georgia also claimed this "doubtful territory," basing their claims on treaties made at different times and places, and this northern boundary line became a constant source of trouble and litigation. To add to the complications of the dispute over this magnificent territory—now within the limits of our own State—several tribes of Indians, the Creeks, Choctaws, Cherokees and Chickasaws, all claimed that, by right of inheritance and possession, the land belonged to them.

To strengthen the claims of their respective governments, the agents representing Georgia, Spain and the United States each made separate treaties with these Indians respecting their claims to the disputed territory.

9. In 1785, Georgia, by act of her Legislature, had formed a large county out of this disputed territory, known as Bourbon county. In 1795, she grew tired of the incessant wrangling its possession involved, and by another legislative act sold the greater part of her claims to four land companies, known as the "Georgia," the "Georgia-Mississippi," the "Tennessee" and the "Upper Mississippi" companies.

10. These four companies began at once to parcel out and sub-divide the land, and the whole district would have been disposed of had not the United States Government interfered and put a stop to the proceedings. This famous act is known in history as the "Yazoo Fraud," and the action of the Legislature of Georgia in dealing with those companies was everywhere condemned, especially by the people of Georgia, who considered these fraudulent measures a reflection on the fair fame of their State. The next Legislature pronounced the contract of the State null and void, and those persons who had been purchasers of land from them found that they had been cheated and despoiled.

11. Public indignation knew no bounds when these facts came to light. The Legislature of Georgia that repealed the Act, wishing to show their abhorrence of unfair dealings, collected all the documents pertaining to the "Yazoo Fraud," and making a bonfire of them in the yard of the State Capitol, burned them publicly, thus freeing the State from the charge of illegal transactions.

12. This dramatic action, however, did not put a stop to the controversies over the Yazoo Territory. For several years the disputes between the agents of the three governments waxed fiercer and warmer, until suddenly they were

ended in a very unexpected manner by the Congress of the United States.

On the 27th of October, 1795, a treaty was completed at Madrid, by which Spain agreed that the Southern boundary of the United States should be "the line of thirty-first degree, north latitude, from the Mississippi river to the Chattahoochee; thence down the middle of that river to its junction with the Flint; thence to the head of St. Mary's river; thence down that river to the Atlantic."

13. It was agreed also that all Spanish posts north of this line should be removed within six months, and that all American posts and all families living south of this line should be removed within the same time.

Each of the two great powers by whom this treaty was ratified, agreed to allow the other the undisputed navigation of the Mississippi river, and to co-operate in the cultivation of the good-will of the Indians. Joint commissioners were to be sent out under the protection of the two Governments before the expiration of six months, to run the boundary line.

Georgia still adhered to her claim to the disputed territory, and it was not until several years after Mississippi became a Territory that she ceded her interest to the Federal Government.

QUESTIONS ON CHAPTER V.

Describe Natchez and its population of an early day. With which Government did they take sides in the struggle between the Spanish and British for the possession of West Florida? How were they encouraged to undertake the capture of Fort Panmure? After its capture, by what news were they confounded? Tell the story of the flight and sufferings of the British refugees after the transfer of West Florida to Spain. How were those who fell into the hands of the Spaniards treated? Who was the first Spanish governor after the conquest of West Florida? Give the names of governors during the next ten years? Administration of "Gayoso the Good?" First crop

grown for exportation in the Natchez district? Average yield? When did the public mind first become attracted toward cotton as a staple? How far back in the history of the colony had cotton been cultivated on a small scale? How was slavery introduced into the French colonies? What characterized the rule of the Spanish governors? Religion of the earlier settlers of Mississippi? What governments now laid claim to West Florida? What added to the complications of the dispute? Act of the Georgia Legislature in 1785? In 1795? Names of the four land companies? What was known as the "Yazoo Fraud?" Act of the Georgia Legislature in reference to it? How were the disputes over the "doubtful territory" silenced? Treaty between the United States and Spain? Claim of Georgia—when satisfied?



CHAPTER VI.

1795-1798.

1. The Commissioners appointed by the United States Government to run their boundary line were Andrew Ellicott and Thomas Freeman, the former an astronomer, the latter a surveyor. The Commissioners appointed by the Spanish Government were Don Stephen Minor and Sir William Dunbar.

2. Ellicott seems to have been singularly unfitted for the position assigned him. He meddled in politics, and used his office to create difficulties between the people of Natchez and the Spanish authorities. In the spring of 1797 a detachment of United States troops under Captain Guion, of the regular army, was dispatched with orders to take possession of the forts on the Mississippi river, in conformity with the terms of the treaty between Spain and the United States. Although the Spanish authorities had failed to comply with the terms of that treaty, Captain Guion was directed to avoid, if possible, an open rupture with them, but in any case to insist on the delivery of the forts to the United States troops, and the hoisting of the American instead of the Spanish flag.

3. Captain Guion's orders were to proceed first to the Chickasaw Bluffs, at the mouth of Wolfe river, where he would be met by a deputation from the Chickasaw Indians, whose favor the Government was anxious to retain. A large supply of goods and trinkets was to be distributed among them, and every effort made to conciliate them.

4. Captain Guion was detained at New Madrid by the commandant of the Spanish garrison, who objected to his

further progress down the river ; but on pledging his word to go no farther down than the Chickasaw Bluffs until the matter could be referred to headquarters, he was allowed to depart, and reached the place appointed, the spot where Memphis, Tennessee, now stands, on the 20th of July, 1797. A Spanish garrison at Hopefield, on the opposite bank of the river, made strenuous efforts to prevent an amicable arrangement between Captain Guion and the Chickasaws. War between Spain and the United States seemed at that time not unlikely, and Captain Guion, while awaiting orders from his superior officers, employed his men in the construction of a new fort on the ruins of one which had stood there since the days of La Salle. It was first called Fort Pickering, and the spot where it once stood is still identified.

5. Early in November, 1797, Guion, who had succeeded in winning the friendship of the haughty Chickasaws, descended the river to Fort Noagles, where Vicksburg now stands, leaving a sufficient number of men to garrison his new fort. Fort Noagles refused to surrender to the authorities of the United States, and Guion proceeded to Natchez, having been authorized only to make a demand for the surrender of the forts.

At Natchez the most unhappy dissensions existed between the American and Spanish authorities. Governor Gayoso had just been succeeded by Captain Stephen Minor, one of the boundary commissioners appointed by the Spaniards. A "Committee of Safety" had been appointed from among the best citizens, and all public matters were referred to that body.

6. Governor Gayoso had been appointed governor-general of Louisiana. He left a small garrison in the fort at Natchez, commanded by one or two officers. After the arrival of Guion with his troops, the soldiers of the two nations were encamped within a short distance of each other. On the 30th of March, 1798, the Spanish garrison received

orders to evacuate the fort, and the Americans quietly took possession of it.

7. The United States Government soon afterward distributed troops among the most important military posts along the Mississippi river.

There were three companies at Fort Adams, on the Chickasaw Bluffs, and three each at Walnut Hills and Natchez. The boundary line between Spain and the United States was completed by the time the American troops took possession. It was marked by a wide trail cut the entire length of the line.

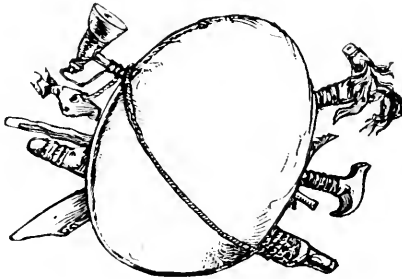
8. On the 7th of April, 1798, the conflicting claims of the United States, Spain, and Georgia, to the "doubtful territory," were settled by Act of Congress, which created the "Mississippi Territory." Both Spain and the State of Georgia were opposed to the passage of the Act, but were powerless to prevent it.

The territorial limits embraced all of the present States of Alabama and Mississippi, south of the line drawn due east from the mouth of the Yazoo river. The inhabitants of this district hailed with joy the passage of the Act creating the Territory.

9. Soon after the formation of the Territory, the citizens of Natchez petitioned Congress for the establishment of common schools in their midst; also, houses to be used for religious purposes. During the interval that elapsed between the departure of the Spanish commandant and garrison and the arrival of the first governor appointed by the President of the United States, the office of civil and military governor was discharged by Captain Guion in such a manner that order and harmony prevailed throughout the whole district.

QUESTIONS ON CHAPTER VI.

Who were the commissioners appointed by the United States Government to run their boundary line? Those appointed by the Spanish Government? Character of Ellicott? Mission of Captain Guion? Captain Guion's orders—how executed? Attempts of the Spanish authorities to detain United States troops? Their interference between Guion and the Chickasaws? Construction of fort on ruins of one built by La Salle? When did Guion proceed to Fort Noagles? Did he attempt to force the Spanish authorities to surrender? What dissensions existed at Natchez? To what position had Governor Gayoso been appointed? When did the Americans take possession of the fort at Natchez? Distribution of troops along the Mississippi river—at what points? Boundary line—how made? When were the conflicting claims to the doubtful territory settled—and how? What did the lines of Mississippi Territory embrace? Petition of the citizens of Natchez for the establishment of common schools and houses of religious worship in their midst? What office was discharged by Captain Guion?



CHAPTER VII.

1798-1802.

1. The Territory of Mississippi constituted one district for the purposes of government, but Congress had discretion to divide it at any time into two districts, with separate territorial governments in each. The importation of slaves from any part or place without the limits of the United States was forbidden by law.

2. The first governor of the new Territory was Winthrop Sargent, a native of Massachusetts, who had been an officer in the Revolutionary Army. Considerable opposition to his appointment had been made, not only by those living in the Territory, but by persons in authority at Washington, who believed that a more suitable person could be appointed to so important an office.

3. Although Governor Sargent was a native of New England, his unpopularity can not be attributed to that cause. The courtly Gayoso and his predecessors were foreigners and entire strangers to the manners and customs of the people, yet they, by pursuing a liberal and conciliatory policy, won the confidence and gratitude of all classes.

There was at this time comparatively little sectional feeling between the North and South. Both sections had contributed their share to the glory of Bunker Hill and Eutaw Springs, and the memory of the blood that had flowed there in defense of their common country served for a long time to subdue all prejudices.

4. Governor Sargent reached the Territory on the 6th of August, 1798. The hopes founded by the people upon his utterances in his first public address, delivered in Natchez soon after his arrival, were not realized by his official

actions. His appointments were made in a partisan spirit, and in his letters to the officers of the general government he cast serious imputations upon the character of the inhabitants of the Territory, and recommended the adoption of the most stringent measures in dealing with them. The citizens very naturally resented the misrepresentations of Governor Sargent, and showed their dislike of his arbitrary proceedings in a very spirited manner.

5. On the 2d of April, 1799, the counties of Adams and Pickering were organized in the new Territory. The name of the latter was afterward changed to Jefferson. A Code of Laws for the Territory was framed by Governor Sargent and his judges, who legislated for the district until the General Assembly intervened.

Congress was petitioned by the inhabitants of the Territory, not only to abolish the code of Governor Sargent, but to give them voice in the framing of their own laws by advancing them to the second grade of Territorial government.

6. Although Governor Sargent and his friends did all in their power to defeat this petition, it was granted by Congress in the formation of the General Assembly. This consisted of a council of five members, to be appointed by the President, and four representatives each from the two oldest counties, besides one from a new county on the Tombigbee, called Washington. These representatives were to be chosen by the people, one member being allowed to every five hundred voters.

7. The fourth Monday in July was fixed by Congress for the election of representatives, and the fourth Monday in September for their first meeting. In 1801, in view of the state of feeling existing between himself and the people of the Territory, Governor Sargent repaired to Washington, leaving the control of the Territory in the hands of his secretary.

Previous to his arrival at the seat of government, a committee had been appointed by Congress to investigate the official character of Governor Sargent, and report on the causes of complaint against his administration. While this committee acquitted the governor of criminal intent in his dealings with the people of the Territory, it became apparent to all, and especially to President Jefferson, that in the interest of peace and harmony, a change in the official government of Mississippi Territory should be made. Accordingly, Governor Sargent was removed from office and Governor C. C. Claiborne appointed instead.

8. One of the most prominent figures in the history of Mississippi is that of C. C. Claiborne. In his character the wisdom of Oglethorpe and the benevolence of Penn were combined with the bravery of the earlier colonial heroes. His commission was dated July 10, 1801, but so slow were the facilities for transmitting the United States mail in those days that it did not reach him until the 8th of August, nearly a month later. At this time the country bordering on the Mississippi river was almost a wilderness. A few small Spanish settlements were dotted here and there on the western shore, the only signs of human life and habitation for a distance of nearly eight hundred miles.

9. On the eastern side, before reaching Natchez, were Fort Pickering, at the Chickasaw Bluffs, and Fort Noagles, at Walnut Hills, now called Vicksburg. The people of the Territory, delighted at the removal of Governor Sargent, gave his successor a hearty welcome. The Territorial Legislature met on the 1st of December, 1801, and the new governor's message was read in the hearing of both houses. The Assembly was composed of the representative men of the Territory, honest and capable, attached to the interests of the United States and of their own Territory.

10. Natchez was at that time not only the seat of government, but the great center of trade for the Territory.

Trading-boats from the West were constantly lading and unlading at her landing, and the river front was crowded with cotton-bales and stores of miscellaneous merchandise. The aggregate sales of cotton in a single season, in the Natchez district, amounted to seven hundred thousand dollars.

11. Governor Claiborne found the Territory involved in a network of litigation, arising from the fact that fraudulent landgrants had been issued by the Spanish authorities to persons in and around Natchez after the confirmation of the treaty between Spain and the United States.

12. There was very little political excitement in the Territory at this time. In 1802 a discussion arose as to the character of the judges, who held office in the Territory, some of them having very little legal training or acquirements.

13. There was at this time only one printer in the Territory. He was a novice in the profession, James Terrell by name, and was employed to print the proceedings of the Legislature. The following year, Andrew Marschalk, who had come to the Territory as a soldier, set up a printing-press, and established a newspaper in Natchez, called the *Herald*. He received the contract for printing the Laws of the Territory, which previous to that time had been written by a secretary employed for that purpose.

Many inhabitants of the Territory had opposed its advancement to the second grade of Territorial government, on the grounds that a great increase in taxation would inevitably follow. The steady improvement in every department of business, however, that followed upon the change in the form of government, the increase in emigration, the opening of new avenues to wealth by the increased facilities in navigation and commerce, more than compensated for any increase of taxation.

QUESTIONS ON CHAPTER VII.

How was the Territory of Mississippi constituted? First Territorial Governor? Give a sketch of Winthrop Sargent. Contrast with Spanish governors? Sectional feeling between the North and South? First public address of Governor Sargent? In what spirit were his appointments made? How did he cast unjust imputations upon the inhabitants of the Territory? How did the citizens show their dislike of such proceedings? First counties formed in the new Territory? Change of name? How was the first Code of Laws formed? Petition of the inhabitants of the Territory? How granted by Congress? Of what members did the General Assembly consist? Day fixed for the election of representatives? Of first meeting? In whose hands did Governor Sargent leave the control of Mississippi Territory? What committee was appointed by Congress? Result of its investigation? Who was appointed to succeed Governor Sargent? Describe the character of Governor C. C. Claiborne. Character of country bordering on the Mississippi river at that time? The western side? The eastern? Meeting of first Territorial Legislature? Describe Natchez at that period. In what did Governor Claiborne find the Territory involved? First printing-press established in the Territory? What improvements followed the advancement of Mississippi to the second grade of Territorial government?

CHAPTER VIII.

1802-1804.

I. On the 24th of April, 1802, the State of Georgia ceded to the United States, on certain conditions, all her claims to the Mississippi Territory. The following are the terms of the treaty: Georgia ceded to the United States all her right, title and claim to the territory belonging to her south of Tennessee and west of the Chattahoochee river, up to the great bend, thence west of the line direct to Nickajack creek, near Chattanooga, Tennessee, on the following conditions:

First: That out of the first net proceeds of the sales of the lands thus ceded, the United States shall pay to Georgia, one million two hundred and fifty thousand dollars.

Second: That all persons who are settled within the said Territory shall be confirmed in all their titles by the United States Government.

Third: That the lands so ceded be considered a public fund, to be distributed by the United States in the proper manner and as other public funds in lands.

Fourth: That the United States, at their own expense, extinguish for the use of Georgia as soon as the same can reasonably be done, the title of Indian tribes to the county of Tallassee, to the lands occupied by the Creeks, and to those between the forks of the Oconee and Ocmulgee rivers, for which several objects the President of the United States shall order that a treaty be immediately held with the Indians, and that in like manner the United States shall extinguish the Indian title to all the other lands within the State of Georgia.

Fifth: That the territory thus ceded shall form a State as

soon as it shall contain sixty thousand inhabitants, and as such be admitted into the Union.

2. This treaty was ratified by the Legislature of Georgia on the 16th of June, 1802.

Soon afterward the money which had been paid into the treasury of Georgia by the Yazoo companies was paid over to the United States Government, and this ended forever the dispute over the Yazoo Territory.

3. In March, 1802, Captain Narsworthy Hunter, the first delegate to Congress from the Mississippi Territory, died. Mr. Hunter had taken his seat in 1801. He was succeeded December 6th by Thomas M. Green.

4. Soon after Governor Claiborne's arrival in the Territory he began negotiations with different tribes of resident Indians. He asked of the general government a strict definition of the policy they wished him to pursue toward the natives, recommending the adoption of liberal measures. An interpreter was furnished him by the government to assist in these negotiations. The Choctaws were the first to accept the friendly overtures of the Governor.

5. They had been the steadfast friends of the whites ever since the arrival of the first settlers, and had proven their devotion on many battle-fields. They met Governor Claiborne in council at Fort Adams, December 17, 1801, agreed to the retracing of the old boundary line established by the British, and ceded to the United States an area of land comprising 2,245,720 acres. They also agreed to the opening of a highway through their nation to the settlement in Tennessee.

The Chickasaws also granted the right of a highway through their country from Natchez to the Tennessee settlements.

6. Governor Claiborne encouraged the Indians to cultivate habits of thrift and industry, furnishing them with looms and agricultural implements at the expense of the Government.

In January, 1802, the Legislature created the counties of Wayne, Claiborne and Wilkinson. A militia law was also passed at this session.

7. The town of Washington, situated six miles east of Natchez, was chosen as the site of Jefferson College, which was established in 1802, under the presidency of Professor Joseph Caldwell, a man of marked ability and long experience; it soon began to exert a beneficial influence on the society of the young Territory. As the country into the interior was opened up the Territorial capital was removed from time to time to meet the demands of a rapidly increasing population. Washington, Natchez, Columbia and Monticello were each at different times the seat of the Territorial government.

8. That portion of territory bordering on the river was for several years infested with bands of highwaymen, who committed the most atrocious murders and robberies with impunity. Governor Claiborne was forced in 1802 to offer a large reward for the leaders of these outlaws. This had the desired effect. The leaders were tried, convicted and hung, and their followers left the Territory.

9. Under Governor Claiborne's supervision, trading posts were established for the Choctaw and Chickasaw Indians, the one for the former on Tombigbee river, that for the Chickasaws near Fort Pickering, on the Mississippi. The Chickasaws, who, next to the Natchez, had been the most inveterate enemies of the white settlers, began, under the fostering care of the government of the United States, to acquire habits of industry and economy, cultivating their own lands and manufacturing their own clothing.

10. March 12, 1803, William Lattimore, of Natchez, succeeded Thomas M. Green as delegate of the Mississippi Territory in Congress.

December 20th, of the same year, Louisiana was transferred from the government of Spain to that of the United

States, and Governor Claiborne was appointed by the President to administer the affairs thereof, still retaining, however, his office of Governor of Mississippi Territory.

On the 1st of October, 1804, he was appointed Governor of Orleans Territory, which act severed permanently his official connection with Mississippi. During the interval that elapsed before the appointment of his successor, the government of the Territory was entrusted to his former secretary, Cato West.

QUESTIONS ON CHAPTER VIII.

When did Georgia cede to the United States Government her claims to Mississippi Territory? Terms of the treaty? When ratified? Death of the first Congressional delegate from Mississippi? His successor? In what manner did Governor Claiborne gain the good-will of the Indians? How had the Choctaws proven their devotion to the whites? When did they meet Governor Claiborne in council? What agreement was made by them? By the Chickasaws? In what did Governor Claiborne encourage the Indians of the Territory? What counties were created in 1802? What town was chosen as the site of Jefferson College? When was this college, the oldest in the South, established? Why was the Territorial capital removed from time to time? Name some of the towns which were at different times used as the seat of the Territorial government. With what was the country bordering on the Territory at one time infested? How was the evil remedied? Where were the trading posts for the Choctaw and Chickasaw Indians established? What improvement was manifest in the wild and warlike Chickasaws? Congressional delegation from the Territory in 1803? When was Louisiana transferred from the government of Spain to that of the United States? Who was appointed its Governor? How was his official connection with Mississippi Territory permanently settled? In whose hands was the government of the Territory left temporarily?

CHAPTER IX.

1804-1809.

1. In 1803, while Claiborne was yet Governor of the Mississippi Territory, Congress passed an act reserving the sixteenth section in each township for the support of schools within the same. Thirty-six sections to be located in one body were also appropriated for purposes of education.

2. President Jefferson appointed Hon. Robert Williams, of North Carolina, to the office in Mississippi made vacant by the removal of Governor Claiborne. Governor Williams reached the Territory on the 26th of January, 1805. Cowles Mead succeeded Colonel West as Secretary of the Territory. Colonel West had been the choice of the people for Governor, but their wishes were ignored by the President.

3. Governor Williams issued a proclamation soon after his arrival, calling for a special session of the Territorial Legislature, to be held on the 1st of July, 1805. Neither the Legislature nor the people were favorably impressed with the new Governor, who was cold and austere in deportment, though a man of ability and conscientious convictions.

His Secretary, Cowles Mead, was much the greater favorite of the two. The first few months of the new administration were characterized by serious border difficulties, which, at one time, threatened to involve the American and Spanish Governments. As each government pursued the policy of non-intervention, the disputes between the settlers on either side of the boundary line between the two, gradually died out.

4. In 1805, Judge Toulmin prepared a Digest of the Laws of the Territory, which was much appreciated by the Legislature. Many young lawyers of marked ability had by this

period chosen the Territory as their future home. Among these were Edward Turner, Lyman Harding and George Poindexter, all of whom were to wield a lasting influence upon the fortunes of the young Commonwealth. Mr. Poindexter was a member of the Territorial Legislature of 1805.

5. In August, 1806, the Spaniards violated the terms of their treaty with the United States Government, by crossing the boundary line with a large force of armed men. This invasion caused intense excitement in the adjacent Territories. The militia of Orleans and Mississippi Territories was promptly called out, and General Wilkinson, of the regular army, at the head of a detachment of troops, proceeded to the banks of the Sabine river, the line of demarkation between the two governments. The Mississippi troops were commanded by Major F. L. Claiborne. In the absence of Governor Williams, Secretary Mead acted as Governor. When the Americans reached the Sabine they found that the Spaniards, who were about fifteen hundred strong, had fallen back upon their own territory for want of supplies. Negotiations between their commander and General Wilkinson resulted in a suspension of hostilities, the whole matter being referred to the two governments.

6. On the 27th of November, 1806, the President of the United States issued a proclamation in reference to an unlawful expedition, of which Aaron Burr, formerly Vice-President of the United States, was reported to be the head. Governor Mead also issued a proclamation on the 23d of December, calling on the inhabitants of Mississippi Territory for aid in suppressing any treasonable design against the general government.

7. Burr made the descent of the Mississippi river in January, 1807. No opposition was made to his progress until he reached the boundaries of the Territory of Mississippi, when he was informed by the authorities that he could proceed no further.

Governor Mead demanded the instant and unconditional surrender of the whole force, their arms and ammunitions, and, after some hesitation, Burr complied, knowing it would be useless to resist. His force was much less formidable than had been represented, and, besides the determination evinced by the territorial authorities in obstructing his progress, the general government had stationed armed vessels in front of Natchez to prevent the further progress of his fleet.

8. The only condition required by Burr in surrendering, was that he might be tried by civil, instead of military, authority. This request was granted; Burr gave himself up and was taken to the little town of Washington, where he gave bond in the sum of five thousand dollars for his appearance at a called session of the Superior Court, to be held in February. His followers dispersed, the majority of them professing entire ignorance as to what his plans had been.

9. It was the opinion of Mr. Poindexter, then Attorney-General of the Territory, that the case of Colonel Burr lay without the jurisdiction of the territorial courts, and he recommended his removal to a competent tribunal. Fearing that this suggestion would be carried out, Burr made his escape from the Territory, but was afterward captured and taken to Richmond, Virginia, for trial before the United States authorities. He was acquitted, the evidence against him not being strong enough to convict him of treason against his country, but public opinion has always held him guilty, and his name has been handed down to posterity as that of a traitor who would have sacrificed his country to his ambition.

10. Governor Williams returned after a prolonged absence from the Territory, while the excitement concerning Burr was at its height. The promptitude shown by Acting-Governor Mead throughout the entire transaction elicited the warmest admiration of the people of the Territory.

11. By an Act of January 9, 1808, the Territory of Mississippi became entitled to one representative in Congress. The uncertainty hanging over land titles, and the conflicting claims that came up in the territorial courts, prevented a rapid increase of immigration. The Yazoo and British claims covered some of the most valuable lands in the Territory. Congress was appealed to for help, but declined to interfere. The first bank in the Territory was established December 23, 1809, at Natchez, with a capital of \$500,000. By the provisions of its charter it was to run for twenty-five years, and its directors were made individually liable for any emission of notes or bills over three times the amount of their capital stock.

12. Lyman Harding, the first attorney-general of Mississippi, and Christopher Rankin, a prominent lawyer, who, soon after his arrival in Natchez, was elected to the Territorial Legislature, both came to Mississippi about this time. The country offered a fine field for the development of genius and enterprise, and scores of young men from the older-settled States—those possessed of the brain and brawn necessary for the development of a great Commonwealth—flocked to the new Territory, attracted by the opportunities it afforded for gaining both wealth and fame.

13. While pioneer life in Mississippi Territory had its privations and discomforts, it had also its pleasing side. The new settlers, as a general thing, were industrious and intelligent, most of them being descendants of old and well-established families in Virginia, Tennessee, the Carolinas, and Georgia. Churches and school-houses sprang up wherever this class of people located, and their communities were noted for hospitality and public spirit.

QUESTIONS ON CHAPTER IX.

What act for the benefit of education in Mississippi Territory was passed in 1803? Who was appointed Governor of the Territory? Who was made Secretary? What proclamation was issued by Governor Williams soon after his arrival? Character of the new Governor? What of border difficulties? How settled? What of Toulmin's Digest of the Laws of the Territory? Mention the names of some young men of ability who came to the Territory about this time? How did the Spaniards violate the terms of their treaty with the United States in 1806? What preparations were made to resist this invasion? Who commanded the troops from Mississippi Territory? How was the difficulty finally settled? What proclamations were issued in 1806 by the President of the United States and the Governor of Mississippi Territory? When did Aaron Burr make the descent of the Mississippi river? Where was his further progress first opposed? What demand was made by Governor Mead? What of Burr's force? What condition was made by Burr in surrendering? Give the particulars of his arrest and the dispersion of his followers? Would such an invasion as Burr's be considered formidable at the present time? Who was Attorney-General of the Territory at the time of Burr's arrest? His opinion of the case? Burr's escape? Recapture? Trial before the United States Courts? His acquittal? Public opinion? What of the conduct of Governor Mead during the excitement caused by Burr's arrest? When did Mississippi become entitled to a representative in Congress? What prevented a rapid increase of immigration? First bank in the Territory? What did Mississippi Territory offer about this time? What of pioneer life in Mississippi Territory? Character of new settlers?

CHAPTER X.

1809-1813.

1. On the 4th of March, 1809, David Holmes, of Harrisburg, Pennsylvania, was appointed Governor of Mississippi Territory. He soon established the reputation of a man of great wisdom and justice, especially in his decisions on cases of disputed land claims. The country was rapidly developing, notwithstanding these disputes over titles, which continued until the whole of West Florida was transferred from Spanish to American rule. New counties were formed in rapid succession. Amite, Wayne, Franklin and Warren were organized in 1809; Greene and Marion in 1811; Jackson and Hancock in 1812. From 1810 to 1812 the Territory was menaced by Indian warfare. The various tribes of Indians in and around it began to manifest signs of decided unfriendliness, notwithstanding the treaties that had been made from time to time.

2. The Choctaws, who, from the days of Iberville and Bienville, had been the firm friends of the whites, showed a disposition to rebel against the firm rule of Governor Holmes. A war between the United States and Great Britain was pending, and the change in the sentiments of the Indians was attributed to the influence of the agents of the latter country.

Tecumseh, the celebrated chief of the North-west, visited the Southern tribes and was, unhappily, too successful in his efforts to inaugurate a war against the whites. The Choctaws and Chickasaws, after some wavering beneath the fiery eloquence of Tecumseh, finally concluded to remain true to their alliance with the United States, but the Creeks, a very powerful Southern tribe, joined with the Spaniards and English against the Americans.

3. The Spaniards were almost as troublesome as the Indians. They still occupied the port of Mobile, and exacted heavy duties on all articles passing through their hands. They also sent out secret emissaries to the Indians, endeavoring by all possible means to incite an insurrection against the American settlers. The settlements on the Tombigbee were surrounded on almost every side by the Creeks and Choctaws, so that in case of war it would be almost impossible for the settlers to escape destruction. Realizing the danger incurred from the close proximity of the Spaniards, they determined that if they could obtain no assistance from the general government they would take the matter into their own hands.

4. Trouble with the Spaniards in regard to the boundary line between the two governments was again renewed, and the neutral ground lying on the borders was the scene of constant and bloody warfare. Troops sent by the United States to quell disturbances and enforce the terms of the treaty with Spain were joined by many brave volunteers from Mississippi Territory, eager to reclaim American soil from foreign dominion. Under these difficulties, Governor Holmes acted with great energy and promptitude. He ordered a draft of the Territorial militia to be taken in July, 1812, to assist in the defense of the Territory, but before the order could be enforced a sufficient number of men from the different regiments had volunteered to form a brigade, rendering the taking of a draft unnecessary. The brigade was placed under command of Colonel F. L. Claiborne, brother of Governor Claiborne, of Orleans Territory, and was ordered in June, 1813, to proceed to Mount Vernon, a point on the Alabama river, easy of communication with Mobile.

5. Congress had in the early part of the year, in response to repeated petitions from the inhabitants of Mississippi, issued orders to General Wilkinson, commander of the

army, to proceed against Mobile and demand its surrender. On the 8th of March the demand was made, and the Spanish troops, unable to resist a superior force, withdrew, not only from the forts they had occupied, but evacuated the Territory entirely, giving the United States troops peaceful possession.

6. The settlers in this portion of the Territory, though relieved of the intrigues of the Spaniards, were constantly intimidated by the Creeks, who showed open signs of hostility. Every precaution against surprise had been taken by the inhabitants of the threatened district, even before the arrival of troops among them, and these precautions were encouraged by General Claiborne, who distributed his forces in the best possible manner for the defense of the settlements. Stockades had been erected by the citizens of the different communities, into which their wives and children had been gathered for protection. In the block-house at Fort Mims alone were crowded nearly two hundred women and children under the protection of the garrison.

7. On the 27th of July, 1813, the battle of Burnt Corn Creek was fought between a body of militia under Colonel Caller and a large force of Creek Indians. The Indians fought stubbornly for awhile, but were compelled at length to retreat. The most advanced of the stockade forts and the one most exposed to attack was Fort Easley, on the Tombigbee river. It was crowded with women and children, refugees from the surrounding country, and was defended by a force of only ten or twelve men. In August, 1813, a large force of Indians set out to attack this point, but the inmates of the fort, having been apprised of their intentions, applied to General Claiborne, at Mount Vernon, for assistance, and that officer, at the head of a detachment of troops, arrived at the fort just in time to prevent the threatened attack.

8. The Indians, baffled at this point, determined to seek

revenge elsewhere. Fort Mims, now within the limits of Alabama, contained a garrison of over one hundred men, commanded by Major Beasely, an experienced Indian fighter and a brave man. Fort Mims was considered one of the strongest points in the Territory, having a plentiful store of provisions and ammunition, and being so well-guarded by soldiers of experience and bravery. For this reason it was crowded with women and children from all the surrounding country, who had fled thither for protection from the blood-thirsty savages.

9. On the 30th of August, 1813, the garrison was surprised while at its noonday meal by an attack from a body of about one thousand Creek warriors, hideous in paint and feathers, and yelling like demons. Major Beasely, the commandant, fell dead at the first fire, and before the soldiers could recover from their surprise at the sudden onslaught, the work of murder had begun. Men, women and children were butchered in cold blood, after the most approved manner of Indian warfare. No mercy was shown on account of age or sex. The soldiers of the garrison fell at their posts, fighting bravely to the last, the foe being ten to one. The sick and wounded in the fort were murdered, the buildings set on fire, and the bodies of the dead thrown without the enclosure.

10. The Indians' losses in killed and wounded were quite heavy, the brave soldiers of the garrison having used their weapons with terrible effect. Not more than ten or twenty out of the two hundred and seventy-five inmates of the fort escaped to Mount Vernon to tell the terrible news, and some of that number died soon afterward of wounds received in the fort. The news of the massacre at Fort Mims spread consternation throughout the entire Territory. A general uprising of the Indians was anticipated, and whole settlements along the frontier were abandoned, men leaving their crops in the fields unharvested, and crowding with their

families into the stockades, where the presence of the soldiers afforded some protection.

II. Had the Choctaws and Chickasaws, at this juncture, united with the Creeks against the whites, the extermination of the settlers would have been easily effected. That the Choctaws united with the whites instead, for the protection of the Territory, was due to the influence of Pushma-ta-ha, one of their chieftains, who had long been the faithful friend and ally of the whites. His efforts to insure their safety were ever afterward remembered with gratitude by the whites. The Chickasaws, who had been wavering between their natural thirst for blood and their alliance with the whites, on seeing the firm stand taken by the Choctaws, followed their example, and declared for peace and union with the inhabitants of the Territory.

This was a period of great peril to the whites, who considered themselves as being exposed daily to the treachery or open enmity of the red men. The Chickasaws, one of the bravest and haughtiest of the Mississippi tribe of Indians, naturally considered the presence of the white man upon the soil of their forefathers a standing menace to their dearest rights, and in their bosoms, notwithstanding their repeated professions of friendship, there ever lurked the secret desire for revenge.

QUESTIONS ON CHAPTER X.

Who was next appointed Governor of Mississippi Territory? What reputation did he soon establish? What of the development of the country? What new counties were established in rapid succession? What danger menaced the Territory from 1810 to 1812? What disposition was shown by the Choctaws? What war was pending? What celebrated Indian chief visited the Southern tribes, and for what purpose? What effect did his fiery eloquence have upon the different tribes of Mississippi Indians? How did the Spaniards render themselves troublesome? What of the dangers to the settlements on the

Tombigbee? What course was it thought best to pursue? What caused the troubles on the border to be again renewed? What action was taken by Governor Holmes? Under whose command were the Mississippi troops placed? What orders were issued by Congress in response to the petitions from the people of the Territory? What was the result? Show how the people of that portion of the Territory were menaced by the Creeks after the departure of the Spaniards. What precautions against surprise were taken by the whites? What of Fort Mims? When was the battle of "Burnt Corn Creek" fought? Between what forces? With what results? What fort occupied the most dangerous position? How was the intended attack of the Indians on this fort diverted? Describe the situation at Fort Mims at this time. Tell of the surprise of the garrison and the dreadful massacre that ensued. What of the Indian losses in the attack upon Fort Mims? How many of the inmates of Fort Mims escaped to tell the dreadful news? What effect did this massacre have upon the people of the Territory? What would have been the result if the Choctaws and Chickasaws had united with the Creeks at this juncture? To whose influence is it due that they did not? How did the firm stand of the Choctaws influence the haughty Chickasaws? Natural feelings of the latter?



CHAPTER XI.

1813-1817.

1. Soon after the fall of Fort Mims, Governor Holmes ordered out the Territorial militia, both infantry and cavalry. The cavalry, under the leadership of General Thomas Hinds, repaired to Mount Vernon, and were followed a few days later by four companies of infantry. They were placed under General Claiborne's command, and he was instructed to prepare for active service. Claiborne and his troops had been anxious from the beginning of the campaign to invade the country of the Creeks, and thus "carry the war into the enemy's country." General Flournoy, who had succeeded to the command of the regular troops, declined to issue orders to that effect, believing that a larger force than they could muster would be necessary for such an expedition.

2. When General Andrew Jackson, the popular hero and beau ideal of the people of the South-western States, was placed at the head of the campaign against the Indians who were menacing the lives and property of the people of those States, he at once adopted the policy which had been vainly recommended by the people of the Territory, and Claiborne was authorized to proceed at once into the heart of the Creek nation.

3. After the massacre at Fort Mims, the Creeks anticipated the measures that would be taken by the whites to avenge the atrocity, and fortified themselves in a dense swamp on the eastern bank of the Alabama river, at a place well known to history as "Eccanachaca," the neck of which had been fortified by the Creeks and the enclosed space called the "Holy Ground." Here Weatherford, a half-breed Indian, urged the Creeks to make a stand and live

or die for their nation's rights. Their fanatical "prophet," who was a brother of the famous Tecumseh, also exhorted them not to have any fears of the whites, telling them that the ground within the enclosure would open and swallow the first pale-face who should set foot within the enclosure.

4. Alas! for the poor deluded followers of the false prophet. The whites and Choctaws under Claiborne and Push-ma-ta-ha, stung with madness at the thought of Fort Mims and its four hundred victims, assaulted the fortifications with such fury that the defenders soon began to waver, then to fall back, and finally to fly precipitately from the Holy Ground, after they found that the words of the prophet were not verified. A number of white prisoners were found within the stockade bound to the stake with combustible material, ready to be ignited when the time for celebrating the victory should come. Large numbers of the Creeks were killed in the heat of battle, some precipitated themselves headlong from the bluffs into the river, while a comparatively small number saved themselves by flight. Among the last named was Weatherford, the half-breed leader, who had been an active participant at Fort Mims, and who knew that it would be worse than death for him to fall into the hands of those whom he had so deeply injured. The power of the Creeks was broken forever. Like the Natchez, their name and prowess were relegated to the past, and the "places that knew them, knew them no more forever." They defended their homes with a bravery equal to that of the Greeks and Spartans, and but for the cruelties that stained their victories, would live in history as the "bravest of the brave."

5. Among the volunteers who accompanied General Claiborne on this campaign were many young men who afterward became prominent in the public life of Mississippi. Two of them, Gerard Brandon and Abram Scott, were subsequently elected to the governorship of the State. Push-

ma-ta-ha, with his chosen band of Choctaw warriors, covered themselves with glory on this expedition, and their services were adequately rewarded by the authorities of the Territory.

6. General Claiborne died soon after his return from this expedition. After the pride of the haughty Southern Indians had been thoroughly humbled by General Andrew Jackson at the battle of the Horse-shoe Bend and other places, the conquering hero proceeded to the defense of New Orleans, the troops of the Mississippi Territory accompanying him under the leadership of Colonel Thos. Hinds. They participated in the great battle fought there, rendering important service to the American cause. A company from Natchez, commanded by Captain James C. Wilkins, also distinguished themselves by their bravery in this engagement. The war between Great Britain and the United States greatly affected the prosperity of Mississippi Territory by reducing the price of cotton, which was already the staple production of the country. The price of lands went down to one-half their real value, and immigration for the time ceased entirely. Mr. Poindexter, who had represented the Territory in Congress from 1807 to 1813, was appointed this year one of the Judges of the Supreme Court of the Territory. Mr. Lattimore, formerly a delegate to Congress, was elected to succeed Mr. Poindexter.

7. The population of the Territory by this time amounted to about sixty thousand persons, and Congress was petitioned to allow the people to form a State Government. Before this was done it was considered expedient to divide the Territory, drawing a line from north to south throughout its entire length, organizing the eastern portion into Alabama Territory and the western into the State of Mississippi.

8. The boundaries of the new State, which was admitted into the Union in 1817, were as follows: On the north by the southern boundary line of the State of Tennessee, east

by the Territory of Alabama, south by the Gulf of Mexico and Louisiana, and west by the Pearl and Mississippi rivers, which separate it from Louisiana and Arkansas. A narrow strip of land about ninety miles in length and fifteen miles wide extends south of the main body of the State to the Gulf of Mexico. Independently of this tract of land, the State lies between thirty-one and thirty-five degrees north latitude, and extends from eighty-eight degrees, twelve minutes, to ninety-one degrees, thirty-six minutes, west longitude. In the northern part the State is about one hundred and sixteen miles wide, but expands to the South to a width of one hundred and eighty-nine miles, and its length, exclusive of the strip bordering on the Gulf, is about two hundred and seventy-five miles. The whole area of the State comprises about forty-seven thousand one hundred and fifty-six square miles.

9. The surface of Mississippi slopes generally toward the south and south-west, as is indicated by the course of the rivers, though a few of them flow to the south-east. The portion bordering on the Mississippi is low and swampy, and between the Mississippi and Yazoo rivers there is an area of nearly seven thousand square miles which is subject to overflow. This portion of the State, now usually spoken of as the Delta, is the most fertile land, perhaps, on the globe, being composed of the rich black, alluvial deposit of ages of overflow. Between Memphis and Vicksburg the country lying on the river from a width of ten to thirty or forty miles is subject to inundation, though numerous levees, erected at a great expenditure of time, money and labor, serve as bulwarks to the greater portion of the country. The south-eastern portion of the State is generally low and undulating; the southern, sandy and level, and covered with pine and cypress swamps. There are no mountains in the State and but few hills.

10. Mississippi is a well-watered State, having numerous

rivers, lakes and bayous interspersed throughout her boundaries. The Tennessee river washes its north-eastern boundary, and the Tombigbee rising in this section is navigable as far as Aberdeen. The mighty Mississippi laves its whole western border and receives into its bosom from different portions of the State several other streams of considerable size. The Yazoo, called by the Indians "The River of Death," is navigable for large boats for a distance of about fifty miles. It is formed by the junction of two smaller rivers, and flows into the Mississippi about twelve miles above Vicksburg. The Big Black, over two hundred miles in length, fifty of which are navigable, flows into the Mississippi just above Grand Gulf. Pearl river, rising near the center of the State, flows through a fertile region into an outlet of Lake Pontchartrain. Below the thirty-first degree of north latitude it forms the boundary line that divides the State from Louisiana, and is navigable for steamboats for a considerable distance above its mouth. The Pascagoula, which waters the south-eastern section and is navigable for steamboats about one hundred and fifty miles from its mouth, empties into the Pascagoula Sound.

II. The coast extending along the Gulf of Mexico for about sixty miles has only two harbors, and those do not admit large vessels. Ship and Cat Islands, however, are eligible stations for ocean steamers, and the largest fleets might anchor there in safety. The principal ports on the Mississippi are Vicksburg, Grand Gulf and Natchez. Mississippi is one of the finest agricultural States in the Union. Over half of its area is remarkable for fertility. In the river, or "bottom" counties, the yield of cotton to the acre is enormous, and all over the State the staple agricultural productions are grown in the greatest abundance.

QUESTIONS ON CHAPTER XI.

What action did Governor Holmes take soon after the fall of Fort Mims? Under whose command were the troops placed? What plan of warfare had Claiborne and his troops wished to pursue from the first? Why did not General Flournoy issue orders to that effect? What policy did General Andrew Jackson adopt? Why was he the idol of the people of the South-western States? In what secluded place did the Creeks fortify themselves against the attack from the whites? Who was their leader? How did their false "prophet" deceive them? Who led the Choctaws to the attack upon the "Holy Ground?" What was the result of this battle? What two future governors of the State of Mississippi were among the volunteers in this campaign? When did General Claiborne die? Where did General Jackson proceed after the battle of Horse-shoe Bend? Who led the Mississippi troops? On what battle-field did they win undying fame? How did the war between Great Britain and the United States affect the prosperity of Mississippi Territory? Career of Mr. Poindexter? Who succeeded him in Congress? Population of the Territory at this time? To what division of Territory and change in the form of government did it lead? Give the boundaries of the new State of Mississippi. When was it admitted into the Union? Between what degrees of latitude does the State lie? Longitude? Dimensions of the State? Whole area of the State? How does the surface of the State slope? What portion of the State is subject to overflow? Character of lands in the Delta? What of lands reclaimed by levees? Other portions of the State? Give the names and general directions of the rivers by which our State is watered. Length and character of our Gulf Coast. Principal ports on the Mississippi. Mississippi's claim as a fine agricultural State. Principal staple.

CHAPTER XII.

1817-1819.

1. The Convention which formed the first Constitution of Mississippi met for that purpose on the first Monday in July, 1817. It was composed of forty-four delegates from the fourteen counties of Adams, Amite, Claiborne, Franklin, Greene, Hancock, Jackson, Jefferson, Lawrence, Marion, Pike, Warren, Wayne and Wilkinson. Lawrence county was organized in 1814, and Pike formed out of Marion in 1815. The Convention met in the old Methodist church in Washington, Adams county.

2. David Holmes, late Governor of the Territory, was made President of the Convention, and Lewis Winston, Secretary. The different members of the body were nearly all representative men—men whose names appear subsequently in the State's history in connection with positions of honor and renown.

At least five of the number were future governors. Adams county sent quite a cluster of historic names—David Holmes, Josiah Simpson, James C. Wilkins, John Taylor, Joseph Sessions, John Steele, Christopher Rankin and Edward Turner. Among those from Jefferson were Cowles Mead, Joseph E. Davis and Cato West. Wilkinson sent George Poindexter, Daniel Williams, Abram M. Scott, John Joor, Gerard C. Brandon and Joseph Johnson. Walter Leake and Joshua G. Clarke were among the delegates from Claiborne county.

3. The State government, based on the Constitution formed by this Convention, was divided into three departments—the Legislative, Executive and Judicial. The right of suffrage was granted, with some limitations, to every

adult free, white male citizen of the State, and certain property qualifications were required of office-holders.

4. The Legislature was to be composed of a House of Representatives and a Senate, and it was directed that the first session of the Legislature should be held at Natchez, beginning on the first Monday in October, 1817, and that afterward it should meet on the first Monday in November in every year, at such place as the law might direct.

5. The supreme executive power of the State was vested in the governor, who must have been a resident of the United States for twenty years and for five years a resident of the State. He was to be chosen by a plurality of votes every two years, and was not to hold the office more than four consecutive years. A lieutenant-governor, possessing the same qualifications as the governor, was to be chosen at the same time and in the same manner. The lieutenant-governor, by virtue of his office, was to be president of the Senate. The governor was made commander-in-chief of the army and navy of the State, and of the militia, except when it should be called into the service of the United States.

6. The judiciary of the State was to consist of one Supreme Court, composed of district judges, a Superior Court of Law and Equity for each county, held by a district judge, while the Legislature was given power to establish a separate Court of Chancery, a Probate Court for each county, and justices of the peace.

7. All civil officers, except coroners, sheriffs, and those already enumerated, were to be appointed by the Legislature. Ministers of the Gospel were excluded from the legislative and executive departments. The militia was to be organized by the Legislature, and was subject to the call of the governor in cases of insurrection or invasion.

8. Judge Poindexter was chairman of the committee appointed by the Convention to draft the Constitution, and to his brilliant, but solid legal attainments, the State is no

doubt largely indebted for her admirable charter. The State at that time was entitled to only one representative in Congress. Soon after the Convention, Judge Poindexter was elected to fill that office, and immediately took the foremost place in Congress as an orator and debater.

9. David Holmes, who had filled the office of Territorial Governor with such ability, was elected first Governor of the State of Mississippi. Lyman Harding was appointed Attorney-General, with a salary of one thousand dollars. Shields, Taylor, Hampton and Ellis were appointed judges of the four districts into which the State was divided. Taylor was the first Chief-Justice of the State.

10. The first meeting of the Legislature was continued from October, 1817, until February, 1818. A vast amount of work was, of course, involved in arranging the statutes of the new State, and every detail was attended to with the utmost care and precision. Two members of the United States Senate were elected during the session. They were Walter Leake, formerly one of the judges of the Territory, and Thomas H. Williams, who had once been secretary of the same.

11. The Constitution interposed no barrier to the pledge of the State's credit by the Legislature, and provided for the incorporation of banks with State capital. In 1818, the Bank of Mississippi was made a State bank. It was endowed with an additional capital of three million dollars, of which the State was to subscribe for one-fourth. She was also to appoint one-third of the directors. The charter was to run until 1841, and during that time no other bank was to be incorporated.

12. In 1819, Judge Poindexter made his celebrated speech before the Congress of the United States in defense of the conduct of General Jackson during the Seminole war. As Jackson, during the Creek war, saved Mississippi from the ravages of the Indians, the inhabitants had ever since

regarded him with peculiar admiration and gratitude, and Judge Poindexter's eloquent defense of the character of the great general only represented the feelings of the entire population of the State.

13. In 1819, Judge Poindexter was elected Governor of Mississippi, being elected over General Thomas Hinds, a soldier of 1812. General Patton, of Wayne county, was elected Lieutenant-Governor. Ex-Governor Holmes, who, as Territorial and State Governor, had served the country for eleven years, was sent to Congress as the successor of Judge Leake. His course in Congress was as blameless and free from mistakes as was his administration while occupying the Governor's chair in Mississippi.

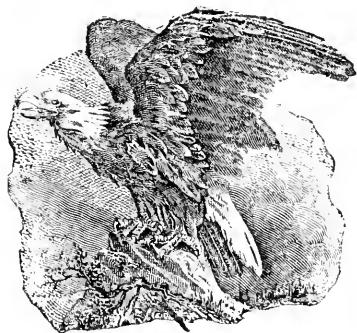
14. Politics, as yet, played a very unimportant part in the elections in Mississippi, the issues being entirely personal. Judge Poindexter and his opponent belonged to the same political party, yet the former received twice the number of votes cast for the latter. The inaugural address of the new Governor, delivered January 5, 1820, was a characteristic production, strong, brilliant and forcible.

15. Governor Poindexter provoked many enemies by his fearless and independent course in public life. As has been said of some other celebrated personage, he was a "good hater," and was generally able to return blow for blow when his motives were assailed. The practice of dueling was very much in vogue during his time, and the polished statesman was seldom without his "affairs of honor." At the same time, he was the idol of his friends, and his worst enemies were forced to admit his ability.

QUESTIONS ON CHAPTER XII.

When did the first Constitutional Convention of Mississippi meet? Where? Of how many delegates was it composed, and how many counties did they represent? Who was made President of this Con-

vention? Representative men of this body? Mention some names that afterward became historic. Into what three departments did this Convention divide the State Government? To whom was the right of suffrage granted? In whom was the Legislative power vested? The Executive? The Judicial? What class of civil officers were to be appointed by the Legislature? Militia? Ministers of the Gospel? To whom is the State largely indebted for her admirable charter? To what high office was Poindexter elected soon after? First Governor of the State of Mississippi? Attorney-General? Judges of the four districts into which the State was divided? When was the first meeting of the Legislature held? What important work was done? Members of the United States Senate elected at this session? When was the Bank of Mississippi endowed? What celebrated speech was made by Senator Poindexter in 1819? To what State office was he elected the same year? Who was Judge Leake's successor in Congress? Did politics play an important part in the Mississippi elections? How did Governor Poindexter render himself unpopular with many? The practice of dueling at that time?



CHAPTER XIII.

1820-1821.

1. Covington, Perry, Monroe, and Hinds counties were organized by the Legislature of Mississippi during the annual sessions of 1819, 1820 and 1821. In 1820, Congress empowered President Monroe, General Jackson, and General Thomas Hinds, of Mississippi, to treat with the Choctaw Indians in reference to the exchanging of a portion of their lands in Mississippi for a domain west of the Mississippi river, where they might be collected and settled together, schools for the education of their children established, and the civilization of the whole tribe promoted. The treaty was made with the "Head Men," or, as it is quaintly worded, with the "Mingoes" of the Choctaw nation, on the 18th of October, 1820, and was ratified January 8, 1821. This was the first step taken toward the final removal of the Mississippi Indians from the State.

2. During Governor Poindexter's term of office he was empowered by the Legislature to revise and consolidate the Statutes of the State. The first Act concerning the work was passed February 12, 1821, and by June, 1822, the work was completed. The great erudition and the vast amount of legal lore brought to bear upon this work was worthy of its distinguished author. For many years "Poindexter's Code" continued to be the highest legal authority known in the State. Previous to that time "Turner's Digest," compiled while Mississippi was yet a Territory, was the accepted authority on questions of legal import.

In 1821, the Legislature established a Superior Court of Chancery within the State, dividing it into two districts and providing for the appointment of a Chancellor.

Judge Joshua G. Clarke, of Claiborne county, was the first Chancellor appointed in the State. The system of county courts was established in 1822, consisting of a probate judge and two associates, with limited and special jurisdiction. This system remained unaltered until 1832.

3. Public attention about this time was attracted very generally to the cause of education. The Constitution of 1817 contained the following clause: "Religion, morality, and knowledge being necessary to good government, the preservation of liberty, and the happiness of mankind, schools and the means of education shall be forever encouraged." It will thus be seen that our noble commonwealth has, from a very early day in its history, fostered education for all classes of its citizens. Thus we find in one of Governor Poindexter's annual messages the following pertinent suggestion: "The avenues to education and knowledge ought to be made accessible to every youth without distinction of rank. From the humblest cottage surrounded by penury and want, the brightest luminaries of virtue and intellect often burst forth, and the hero or statesman is seen rising from obscurity, to add honor and renown to his country and adorn the pages of its history."

4. The Governor of Mississippi was authorized by the Legislature, in 1821, to obtain the best information possible in regard to the most suitable location of the thirty-six sections of land donated by Congress for the benefit of education. After the location of these "Seminary Lands," they were leased to the highest bidder and the proceeds appropriated to the benefit of a corporation established by the Legislature and known as the "Literary Fund," of which the Governor was made president, and other State officers, directors.

5. This Board was required to make an annual report to the Legislature, of the state of the funds committed to its care, and also in regard to the progress of education through-

out the State. At each successive meeting of the Legislature for a number of years, the cause of education received the closest attention. Commissioners were appointed in each county for the supervision and distribution of the educational fund and the employment of instructors who would "exert their best endeavors to impress on the minds of children and youth committed to their care and instruction the principles of piety, justice, and a sacred regard to truth; love to their country, humanity, and universal benevolence; sobriety, industry and frugality; chastity, moderation and temperance, and those other virtues which are the ornaments of human society and the basis upon which the Republican Constitution is structured."

6. An act of the Legislature of 1826 required the Governor to subscribe, in behalf of the State, for one hundred and twenty shares of the stock of the Bank of Missouri, to be applied to the benefit of the "Literary Fund."

7. On the 12th of February, 1821, the Legislature of Mississippi, growing tired of its wandering life, appointed a commission to select a site for the permanent location of the seat of government. Two sections were to be selected in the country lately ceded to the United States by the Choctaw Indians, and were to be situated within twenty miles of the true center of the State, including that part occupied by Indian tribes. This act was afterward amended, and the commissioners authorized to select the "east halves of sections three and ten, and the west halves of two and eleven, in township five, range one, east of the basis meridian," as a permanent location for the capital of the State. They were also authorized to lay off a town on such part of the location and on such plan as they might consider advisable. In honor of the hero of New Orleans, the brave soldier who had saved the Territory of Mississippi from the horrors of Indian warfare, the new capital was called Jackson.

8. After the location of the site of the capital, a Superin-

tendent of Public Buildings was at once appointed. To induce settlers to make Jackson their future home, the Superintendent was authorized to grant a right of preference in town lots to such persons as would agree to build log or frame house thereon, giving them two years in which to make payment to the State. Lots for religious and charitable purposes and for a public cemetery were also laid off. A suitable lot on which to build a court-house, in case Jackson should be the seat of justice for the county in which it should be situated, was reserved. The new town was situated at an eligible spot on Pearl river, on its western bank, the river being navigable for steamboats to that point.

9. The plan for the capital city was accepted by the Legislature on the 30th of June, 1822. Public squares, designated respectively, "Capitol Green," "College Green" and "Court Green," were reserved exclusively and in perpetuity for the use and benefit of the city. A piece of land on each side of Pearl river, within the limits of the town, was reserved for the use of a ferry, which was to be leased for the benefit of the corporation.

10. At the time of its location, Jackson was very near the center of population, but with the ceaseless tide of immigration that has since poured into the State, it has long since ceased to occupy a central position. Attempts have been made at various times to transfer the seat of government to other localities, Vicksburg having at one time been strongly recommended; but Jackson having in the course of time gained a strong hold upon the affections of the people, all efforts looking toward a removal were defeated. The capitol building and executive mansion were not erected within several years after the city was laid off. The meetings of the Legislature were held in a plain wooden building, the Senate occupying the upper and the House of Representatives the lower rooms.

11. Jackson is now an important and growing city, and

is the junction for a network of railway lines that traverse all portions of the State. Cotton in large quantities is shipped from that point, and the city has an extensive and growing trade. The city is regularly laid out, and many handsome private and public buildings are located within its limits.

QUESTIONS ON CHAPTER XIII.

What counties were organized from 1819 to 1821? What commission was empowered by Congress in 1820 to treat with the Choctaw Indians? When and between whom was the treaty made? When ratified? What of "Poindexter's Code?" What court was established in 1821? First Chancellor of the State? System of courts? What striking clause from the Constitution of 1817 in regard to education? Give the extract from the Governor's Message relating to the same subject. What authority did the Legislature of 1821 bestow upon the Governor? What of the "Literary Fund?" What was required of the officers controlling this fund? Act of the Legislature of 1826? What of the commission appointed to select a site for a permanent State capital? Conditions required? Amendment to the Act? For whom was the new capital named? What public officer was appointed after the location of the capital? What efforts were made to induce settlers to locate in the new city? How is the city located geographically? Public squares? Is Jackson situated near the center of the population of the State? What attempts have been made to change the location of the seat of government? Why have they always failed? In what place did the State Legislature hold its first meeting at Jackson? Jackson as a railway center? As a cotton market?

CHAPTER XIV.

1821-1825.

1. Natchez, which for several years was the seat of the Territorial Government of Mississippi, was formerly distinguished as the social and intellectual center of the State. It was the home of wealth and refinement, many prominent lawyers, merchants and planters residing there. It has always been the true type of a Southern city; its streets broad, shaded, and handsomely laid off; its residences ornamented with large yards and beautiful gardens. From the first it was a great shipping port for cotton, its steamboats having connection with the entire Mississippi valley. The first cotton shipped by steamboat on the Mississippi river was sent from Natchez.

2. Vicksburg is of much later origin than Natchez, the city proper dating back to about the beginning of Governor Poindexter's administration. Previous to that time the point at which it is situated was known as Walnut Hills, or, as it was called by the Spaniards, Fort Noagles. Rev. Newett Vick and his son-in-law, Rev. John Lane, both Methodist preachers, were the founders of the present city of Vicksburg. When they reached the Territory of Mississippi, the country around Walnut Hills was one unbroken forest, except a level tract of land to the north-east of where the city now stands, which, on account of its having been cleared of timber by the fires of the Indians, was known as the "Open Woods."

3. Mr. Vick originated the plan of laying off a large city on the present site of Vicksburg, but, unfortunately for the city, died before his arrangements were matured. Mr. Lane took up the unfinished work and carried it out with ability

and fidelity. When the value of the proposed city was displayed by the maturing of Mr. Vick's plans, numerous contestants for the property arose, and the whole was at once enveloped in a net-work of litigation, which was protracted through many years.

4. Notwithstanding the obstacles in the shape of litigation that lay in the way, the city flourished from the time it was laid out. Lots were surveyed and sold with wonderful rapidity, the city and the heirs of Mr. Vick sharing the profits equally. The old Spanish fort stood about one and one-fourth miles distant from the present court-house. There was at one time a cemetery near the river in front of the fort, but the waters of the Mississippi encroaching upon it, gradually washed it away. Vicksburg, like Natchez, has always been noted for the wealth and culture of its inhabitants. The court-house was for many years at Warrenton, and for many years Wm. L. Sharkey was the only lawyer in the county, so that when both sides of a question were to be argued, one of the parties to the lawsuit had to go elsewhere for counsel.

5. In 1820, the road leading eastward to Mount Salus, since called Clinton, was opened, and in 1824 an appropriation was made by the Legislature to extend it to Jackson. In 1822, Governor Poindexter was succeeded by Judge Leake, formerly Congressman from the State, and a member of the first Convention.

On the expiration of his term of office, Mr. Poindexter became a candidate for Congress. Christopher Rankin, who had also been a leading member of the Convention of 1817, was his opponent, and, for the first time in his political career, Mr. Poindexter was defeated. This was attributed to an unpopular clause in his "Revised Code," though his opponent was an eminent lawyer and a practical statesman, worthy of the confidence reposed in him.

6. Governor Leake was a strong advocate of the cause of

public education, and it was mainly through his exertions that the Legislature took such important and repeated action upon this subject. He made constant and effective appeals not only to the Legislature, but to the people themselves, in behalf of education. The country developed rapidly during his term of office. Its natural resources began to be discovered and appreciated. It was discovered that not only cotton, but corn, wheat, and other grains; sugar-cane, rice, potatoes, and other vegetables; fruits of nearly every variety, and melons in abundance, could be raised in Mississippi.

7. The immense forests of long-leaf pine had, from the earliest period of colonization, attracted the attention of ship-builders, and it was found that the upland country was covered with a fine growth of the different varieties of oak, hickory, poplar and maple, while the bottoms were covered with immense cypress-brakes, rendering the supply of timber in the State almost inexhaustible. Immigration from the older States was constantly attracted by these advantages, and the population showed a marked increase from year to year.

8. During Governor Leake's term, citizenship was conferred upon the different tribes of Indians within the State, the laws being applied to them in the same manner as to the white inhabitants. About this time the policy of General Jackson in regard to the removal of the Indians to a separate territory far to the west of the Mississippi was adopted by the general government. This caused great discontent among the Mississippi Indians, especially among the Choctaws, who, by living on such terms of friendship and intimacy with the whites, had acquired a degree of civilization which had not been attained by the other tribes.

9. In 1823-4, their two half-breed chiefs, Greenwood Le Flore and David Folsom, were at the height of their fame and influence. By acquiescing in the demands of the United

States for the removal of their tribe, they incurred the displeasure of the entire nation and lost forever an influence which had been almost regal in power, while the two chiefs, Nuckatachie and Mushulatubbe, who were bitterly opposed to the contemplated movement, gained what their colleagues had lost. From this time until the final treaty, which consummated the plan of removal, there was open enmity between the leaders of the Choctaws, which, but for the sagacity and forbearance of the half-breed chiefs, would have terminated in bloodshed.

10. At the expiration of four years, Governor Leake was succeeded by David Holmes, who resigned his seat in Congress to take the governor's chair. Though somewhat advanced in years and in declining health, he still occupied the first place in the hearts of the people. Judge Powhattan Ellis was appointed to the place in Congress made vacant by the resignation of Governor Holmes.

11. The two political parties in Mississippi in those days were the "Federalists" and the "Republicans," though the difference of opinion between the adherents of each was not marked and was characterized by but little of the bitterness of modern politics. Slavery, that great element of future discord, had not, as yet, become the theme of public discussion, as all New England had, until within a recent period, been engaged openly in the slave trade.

12. Politicians dealt very strongly in personalities in those days. The public press was becoming a very powerful agent in affairs of State and government, and candidates for political preferment were learning to respect the opinions of political editors. Appeals to the so-called "Code of Honor" were not infrequent, and a man lost nothing in reputation by being an expert duelist.

13. Governor Holmes entered upon the duties of his office while the country was enjoying an unexampled degree of prosperity.

He was authorized by the Legislature soon after his inauguration to collect from the general government from time to time the amount to which the State was entitled from the proceeds of the sales of public lands. The amount collected was deposited in the State treasury and the Treasurer authorized to open an account called the "three per cent. fund," which could be used only for such purposes as the law of the State might direct.

14. The prospect of the extinguishment of the Indian titles greatly enhanced the value of lands in Mississippi. New settlements were cleared in the fertile wilderness, immense plantations, sometimes embracing thousands of acres, were opened and cultivated by African slaves, whose merry songs resounded in strange contrast to the ancient warwhoop and cruel death-song of the savage Indian. The older Southern States poured an unceasing tide of immigration into the boundaries of the new "Cotton State," and life in Virginia, the Carolinas, Georgia, Tennessee and Kentucky was reproduced in the plantations of Mississippi on a new and often more magnificent plan.

15. In Georgia the question of the extinguishment of the Indian titles had brought the country almost to the verge of civil war, so slow was the general government in fulfilling its promises that the Indians should be removed as soon as possible; much ill-feeling between the State and the United States was engendered by the delay.

QUESTIONS ON CHAPTER XIV.

For what has Natchez from the first been distinguished? Streets and residences? Shipping port? How far back does Vicksburg date? Who were the founders of the present city of Vicksburg? Who originated the plan of the city? Who carried it out? What litigation arose concerning it? For what has Vicksburg always been noted? What appropriation was made by the Legislature in 1824? Who succeeded

Governor Poindexter? Who defeated Poindexter for a seat in Congress? To what was his defeat attributable? In what vital question was Governor Leake very much interested? How were the natural resources of the country developed during his administration? What of the forests of long-leaved pine in the State? Other trees of native growth? Immigration from the older States? When was citizenship conferred upon the different tribes of Indians in the State? What policy was adopted by the general government in its dealing with the Indians? What tribe was found to be most susceptible of civilization? What two half-breed Indian chiefs were at the height of their influence at this time? How did they incur the displeasure of their tribe? What two native chiefs gained the place in the affections of the tribe that had been lost by Le Flore and Folsom? What alone prevented a bloody ending to this feud? Who succeeded Governor Leake? Who succeeded Governor Holmes in Congress? What two political parties in Mississippi at this time? Had slavery yet become an element of discord? Influence of the public press? Appeals to the "Code of Honor?" Condition of the country at the beginning of Governor Holmes' administration? What authority did the Legislature confer upon him? For what purposes alone could the "three per cent. fund" be used? What enhanced greatly the value of lands in the State? Class of laborers best suited to these lands?



CHAPTER XV.

1825-1829.

1. Aside from the encouragement given to the cause of education by the State, private incorporations were being established in the older and more populous regions. Aside from Jefferson College, at Natchez, which had been established while Mississippi was yet a Territory, there were several highly respectable institutions of learning, all of which were enjoying a lucrative patronage.

During the first year of Governor Holmes' administration (1825), Mississippi College, at Clinton, was incorporated. Sustained by the Baptist church, it has ever been an important factor in the educational policy of the State. Between the years 1814 and 1830 Wilkinson county had organized and was sustaining six academies of learning, and had chartered the Jacksonian Library, at Woodville. Natchez and Washington, both in Adams county, each had a "Female Academy," chartered in 1819. "Franklin Academy," at Columbus, in Lowndes county, was established in 1821.

2. In 1823, the counties of Copiah, Holmes, Kemper, Yazoo, and Jasper were formed; in 1824-6, Simpson, Jones, and Warren; in 1827-8, Washington, Madison, and Rankin. In 1827, Powhattan Ellis and Thomas B. Reed were elected to the Senate of the United States, and Thomas Hinds to the House of Representatives.

3. In the summer of 1827, a protracted drought seriously affected the planting interests of Mississippi. Fortunately, the autumn season for gathering crops was milder and more protracted than usual, so that the farmers were enabled to save their entire crops, else many would have suffered for the actual necessities of life.

The regular election for State and county officers fell on that year, and considerable political excitement existed. As a large proportion of the voters of the State represented agricultural interests, they were anxious to have one of their number represent them in the governor's office. Gerard C. Brandon, a prominent planter of Wilkinson county, who had already served the State as lieutenant-governor, was chosen for that purpose. Governor Brandon had been one of the leading members of the Convention of 1817, and previous to that time had been a soldier in the regular army.

4. At the commencement of hostilities between Great Britain and the United States, in 1812, he received a captain's commission in one of the Mississippi regiments, and continued in the service until, at the urgent solicitation of Governor Holmes, he returned to Washington, Adams county, in order to take measures for the defense of the unprotected settlers, who were threatened with an incursion from the hostile Indians. He afterward rejoined the army, under the command of General John Joor, which arrived in New Orleans a few days after the battle of the 8th of January, 1815, and was stationed at Bayou St. John, on Lake Pontchartrain.

5. At the time of his election to the office of governor, Gerard Brandon was engaged in cotton-planting, being the owner of some of the finest lands in the State. Abram M. Scott, who had served with Governor Brandon, was elected lieutenant-governor. During this campaign there were no less than five candidates each for the offices of governor and lieutenant-governor. Three out of the five candidates for governor were named Williams.

6. At the meeting of the Legislature in January, 1828, William L. Sharkey represented the county of Warren, this being his first entrance into public life. From the report of Hiram G. Runnels, auditor of public accounts, we find that

there remained in the treasury, after deducting the literary and three per cent. fund, a balance of \$21,210.94.

The inaugural address of the new Governor was delivered on the 9th of January, 1828. He congratulated the people of the State that peace and prosperity reigned within their borders.

7. That portion of the message referring to slavery deserves particular notice, as showing the attitude of Southern statesmen at that day toward this peculiar institution, for the existence of which they were in nowise responsible. Many of the Southern States had at that time passed laws for the regulation of the sale of negroes within their borders.

As there was no law in Mississippi against the importation of negroes from other States for purposes of traffic, the older slave States, especially the middle ones, where negro labor was unprofitable, sent their surplus black population here for sale. Governor Brandon protested against this custom, contending that "the large number of negroes annually brought into the State afforded ample grounds for serious apprehension in the minds of the white inhabitants; that slavery at best was an evil which invariably operated unfavorably against the poorer classes of communities into which it was introduced, by destroying the mutual dependence which would otherwise exist between the rich and the poor, and excluding from the State, in proportion to the number of slaves, a free white population, through the means of which alone can Mississippi expect to take rank with the other States of the Union. The State should, in her own defense, adopt such measures as should, as far as practicable, prevent the introduction of slaves for sale."

8. In 1828, the Choctaw Indians held the "Grand Council" of their nation, for the purpose of ascertaining the general feeling among the people in regard to the relinquish-

ment of their lands east of the Mississippi river to the United States, and the subsequent removal of the entire tribe to the Indian Territory.

The solicitations of the agents of the Government, combined with the influence of Greenwood Le Flore and David Folsom, had overcome the reluctance of a large portion of the tribe to leave Mississippi, which was so rapidly being peopled by the white and black races.

9. The influence of Nutackachie and Mushulatubbe proved to be far stronger than had been anticipated, as it was decided in the "Grand Council" that the tribe was not yet ready for the ratification of the final treaty with the United States. The two full-blooded Indian chiefs persuaded their followers, for a time at least, that Le Flore and Folsom were traitors to their own people, and in league with the Government to defraud them of their rights.

10. Missionary labor among the Choctaws had developed many interesting facts concerning their manners, customs and peculiar traditions. Before the advent of the whites, they believed in a Great Spirit, who made and ruled all things. The highest class among them were the Medicine-men, who healed the sick, and were considered to have magical powers of incantation. Like other Indians, the Choctaws believed death to be only a short journey to a happier hunting-ground. His pipe and tobacco, implements of warfare and hunting, and sometimes his favorite horse, were buried with him, in the belief that in the future state of existence he would need them.

11. The Choctaw women were the bread-winners and burden-bearers of the tribe. They planted and cultivated the crops, which consisted of small patches of corn and beans, provided fuel, made baskets and other articles of traffic, and provided for the wants of their households in various ways. Venison or bear's meat, with lye hominy, constituted their favorite meal. They were very fond of

dress, and adorned themselves with a profusion of paint, feathers and jewelry.

QUESTIONS ON CHAPTER XV.

What of the progress of education in the State? When had "Jefferson College," at Natchez, been established? When was Mississippi College, at Clinton, established? What counties were formed in 1823? In 1827-8? Senators in the National Legislature in 1827? Who was elected to the National House of Representatives at the same time? What affected the planting interests of the State in 1827? Why was it thought best that the next Governor should represent the farming element of the State? Who was chosen for that purpose? How had he on two former occasions served his State? Give an outline of his public career. Who was elected Lieutenant-Governor? What is worthy of mention in connection with this campaign? First entrance of Wm. L. Sharkey into public life? Mention that portion of Governor Brandon's inaugural address deserving particular notice? Why was the "Grand Council" of the Choctaws held in 1828? What change had come over the feelings of the Choctaws in reference to leaving their homes? What, however, was decided by the "Grand Council?" To whose influence was this due? What interesting facts had missionary labor developed regarding the Choctaws? Their belief in a Great Spirit? Medicine-men? Happy hunting-grounds? What of the Choctaw Indians?

CHAPTER XVI.

1829-1831.

1. During Governor Brandon's term of office many plans of internal improvement were contemplated by the State, the Legislature, at one time, creating a "Board of Internal Improvement," consisting of the Governor and three commissioners, one from each of the three different sections of the State, northern, eastern and western. The duties of this Board were the direction of "the improvement of the navigable rivers in the State, the construction of roads, and such other improvements as might be necessary." The aim of this plan was good, but its workings were not considered practicable, and it was finally abandoned.

2. In no other particular can the prosperity of a country be more strikingly manifested than by the construction of roads and other means of internal communication, and this fact was appreciated by the government and people of Mississippi at this period. After the failure of the contemplated "Board of Improvement," special laws were enacted in reference to the construction of public highways, the opening up of navigable streams, and the establishment of ferries and bridges. The levee system, which afterward helped to redeem some of the finest lands in the State, did not come into general use until a much later period.

3. The excitement concerning the disestablishment of the National Bank, engendered by the action of Andrew Jackson while President, reached fever height during the next few years. Many of the citizens of Mississippi at this time were in favor of locating a branch of the United States Bank at Natchez, on the expiration of the charter of the Bank of Mississippi, which would occur in a few years from

that time. Governor Brandon opposed this plan, believing that it would be more beneficial to the general welfare of the State to establish banking institutions in different portions of her own territory, in the stock of which "she could either become a participant or require a bonus from the stockholders equal to the prerogative they might enjoy." He believed that the introduction of a branch of the National Bank would defeat the establishment of State banks, and he recommended the resistance of the measure to the State Legislature. The fictitious prosperity which swept like a wave over the State of Mississippi about this time is often alluded to as the "Flush times in Mississippi." "Wild-cat Banks," as they were called, were established at nearly every "cross-road" town in the State, and the country was flooded with paper currency, necessarily very much depreciated in value. As a consequence, fortunes were made and lost in a day, and before this second "Mississippi Bubble" had exploded, half the population of the State was reduced to bankruptcy.

4. In 1828-9 the accounts which had remained unsettled between the States of Alabama and Mississippi ever since the division of their Territory were adjusted by the Governors of the two States. In 1829 Governor Brandon and Lieutenant-Governor Scott were re-elected to their respective offices. Governor Brandon was perhaps the most popular Governor of his generation. He was a man of advanced and practical views, as is evidenced by his utterances on the subject of slavery, the advancement of popular education, and the preservation of the purity of the ballot-box. His ideas were far in advance of the times in which he lived, and their wisdom has been confirmed by successive generations of law-makers.

5. The receipts from the Treasurer of the United States, on account of the "three per cent. fund," amounted to a considerable sum annually, and were appropriated by the

State towards the encouraging of settlers in new and sparsely-settled portions of the country, and to the making of roads by which the transportation of the produce of their lands to market would be facilitated. Railroads in connection with this State were not even dreamed of at this period.

6. Thomas B. Reed, who had represented Mississippi in Congress since 1826, died in 1829, and the friends of ex-Governor Poindexter announced his name as a candidate for successor to the vacancy thus caused, although, on account of declining years and health, he had been obliged to refuse an appointment to the office of Chancellor made by Governor Brandon. On this account, Mr. Poindexter refused to use his personal influence in favor of obtaining the seat in Congress, though by so doing he might have gained it, notwithstanding the strenuous opposition of his political enemies.

7. The opposing candidate for Congress was Robert H. Adams, a young and popular lawyer of Natchez. In the contest that ensued in the Legislature between the friends of Adams and Poindexter, the latter was defeated, although the influence of the Governor and other prominent officials was used in his behalf. Adams served only one session in Congress, his death occurring in the summer of 1830, at a time when his life gave promise of great usefulness and ability. His premature death was regarded as a public calamity, even his political enemies acknowledging his extraordinary qualifications for the place he held.

8. Governor Brandon immediately appointed Mr. Poindexter to fill the vacancy in Congress, and at the next regular election on the 19th of November, 1830, he was chosen unanimously to fill the office for another term. It is said that on this occasion some of the citizens of the State carried their preference for Mr. Poindexter to such lengths as to instruct their delegates to "vote for him, dead or alive." From this we gather that political warmth and

enthusiasm are not confined to any particular day or generation.

9. On the 15th of September, 1830, the famous treaty of "Dancing Rabbit Creek" was consummated. It was signed on the part of the United States by General John Coffee and John H. Eaton, agents, and on the part of the Choctaws, the other contracting party, by their "Mingoes, Chiefs, Captains, and Warriors." By this treaty the Choctaws ceded, with the exception of some small reservations, all the lands that remained to them east of the Mississippi to the Government of the United States.

10. The Government agreed to have the ceded lands surveyed and to allow no one to settle thereon until after the removal of the Choctaws. If it had kept faith in this particular, one very dark page in the history of our State need never have been written. The Indians, though reluctant to leave their lands, seemed for the most part to regard it as their inexorable destiny, and, with the stoicism peculiar to their race, set about making preparations for the change. They were very generous in their treatment of their old chieftains, not excepting Greenwood Le Flore and David Folsom, who, about the time the treaty was made with the Government, had incurred the displeasure of their tribe to such an extent that for a time their lives were considered to be in jeopardy. Each of the four leading chiefs had a reservation of four sections of land assigned him by the terms of the treaty, two of which were to include the sections on which they had already located, the other two to be left to their own selection, the only stipulation being that they were to be chosen from unoccupied lands.

11. Le Flore and Nuckatachie were to receive the sum of two hundred and fifty dollars annually for the remainder of their lives. Mushulatubbe was to receive one hundred dollars annually, having already been granted a pension of one hundred and fifty dollars annually by the provisions of

a former treaty. The Choctaws were not unmindful of their veterans who had risked their lives in fighting the battles of their nation, and made special provisions for the "few Choctaw warriors yet surviving who marched and fought in the army with General Wayne." The commissioners reserved two sections and a half of land to John Pitchlyn, an interpreter, who for forty years had acted in the service of the United States; also a section to each one of his children.

12. That famous warrior of the Choctaws, Push-ma-ta-ha, who had proven his devotion to the whites on many a bloody battle-field, was at one time sent to Washington City as a delegate from his tribe to the general government. While there, the veteran chieftain died, and his wife was left in extreme poverty, being too old and feeble to provide for herself. To her and to the widow of Puck-ts-hen-ubbee, another celebrated Choctaw warrior, the treaty of "Dancing Rabbit" assigned four sections of land each.

13. A special grant of land west of the Mississippi river, in what is known as the Indian Territory, was made by the Government to the Choctaws. In consideration of this grant, the Choctaws relinquished their claim on all lands east of the Mississippi, and agreed to remove to their new homes as early as possible.

The fourteenth article of this treaty afterward became a source of trouble to the Government and to the people of the State. It provided that those heads of Choctaw families who wished to remain and become citizens of the State should be allowed to do so, on complying with certain conditions, a reservation of land proportioned to the needs of the family being set aside for their support. A large number of Indians wished to remain on these terms, and as the lands were in great demand for white settlers, the agents of the Government had great difficulty in reconciling the claims of different parties.

14. In addition to the grant of land west of the Mississippi, the United States agreed to pay to the Choctaws the sum of twenty thousand dollars for twenty consecutive years after their removal to the West. Notwithstanding these advantageous terms, many of the tribe were, to the last, opposed to the treaty, and the dissatisfaction with Le Flore and Folsom, who had promoted the treaty, broke out afresh, and they never afterward regained the influence they had lost. Neither of them accompanied the tribe in its removal from the State.

15. As has been said before, the majority of the Choctaws were bitterly opposed to the sale of their lands and the wholesale removal of their tribe to the West. The Government pursued a vacillating policy towards them, the "Indian question" having now become an issue in national politics, and their "removal" or "non-removal" the watchword of the two parties. The Whigs opposed their removal on the grounds of justice and humanity to an inferior race which needed civilizing, while that party of which General Andrew Jackson was the honored exponent, believed that, as a matter of policy, if not of safety, it was best to remove them to what was then known as the "Far West." The great tidal wave of immigration that had now set in toward the South-west decided the question irrespectively of either party, and the poor Indian, forced to leave the home and graves of his fathers, turned his face westward with many a backward look toward the rising sun. Many individual members of the once proud and warlike Choctaws refused to be governed by the treaty which their leaders had signed, and years afterward were to be found in poverty and degradation and want, lingering fondly around the spots that once contained their ancestral wigwams. Many died of hunger and exposure, and those who survived to an ignoble old age were filled with hatred toward a government which

they believed had perpetrated a crime in depriving them of their homes.

16. Greenwood Le Flore was the son of a French trader, who had gained great wealth by his dealings with the Indians, and a Choctaw woman of great beauty of form and feature. The young half-breed in early life gave promise of great ability, and the father, anxious that his son should become a leader of his people, sent him to a school in Nashville, Tennessee, where he received a thorough and liberal education. After his return from school, though still quite young, he was chosen leader of his tribe, the voters of which having borrowed the idea from the whites, used the ballot-box for the first time. Finding himself at the head of a brave and generous people, the noble young chief set himself to the work of educating and elevating them. Schools were established, ancient superstitions abolished, and the rites of marriage and burial established according to civilized usages. Until the meeting of the "Grand Council," where their leaders were divided in policy, the Choctaws loved and trusted Le Flore implicitly, and placed themselves entirely under his guidance and control. After the treaty of "Dancing Rabbit," finding the affection of the tribe alienated, he contented himself, instead of trying to regain his influence, with improving the splendid grant of land reserved to him by the terms of the treaty. Those unfortunate Indians who remained behind after the majority of the tribe had left found in him a friend and protector, while the early white settlers of that portion of the country found him equally true to their interests. He was so universally beloved and respected that he was chosen, at one time, to represent the citizens of Carroll county in the State Senate. His descendants are among the best people of the State, and his name is perpetuated by Le Flore county, and its capital, Greenwood. Thus is the memory of the faithful Choctaws kept green among the people they loved and served so well.

17. On the 20th of October, 1832, the Chickasaws ceded their entire possessions east of the Mississippi river to the Government of the United States. The treaty was ratified by the whole nation assembled in Grand Council at the Council House, on Pontotoc Creek, and signed on behalf of the United States by General Coffee, agent. As in the treaty with the Choctaws, the Government agreed to have the whole country surveyed and prepared for sale as early as possible, and, as in the former case, the matter was delayed until much discontent and bad feeling arose. The President was to offer the lands for sale on the same conditions as other public lands, and the Chickasaws were to receive all the money arising from these sales, after the expenses of surveying and selling the same were deducted. Naturally, the Chickasaws became indignant at the non-fulfillment of this promise, and bad feelings were engendered on both sides.

18. Like the Choctaws, the Chickasaws, in their treaties with the Government, made provisions for their aged and infirm chieftains. Mail routes, indispensable in carrying out the terms of the treaty, were established throughout their country. One of these routes led from Tusculum, Alabama, to Rankin, Mississippi; another from Memphis, Tennessee, by the way of the Land Office, to Cotton Gin, Mississippi. And so, by inexorable destiny in the shape of the United States Government, these two, noblest of the native tribes of Mississippi, were forced to leave the hunting-grounds of their fathers and migrate to a strange, new land across the Father of Waters, whither it is not the province of this history to follow them. As hunters and warriors neither tribe had superiors on the American Continent, and had the question of their exodus been left to force of arms, they might have remained much longer in their homes. It was the superior diplomacy of the whites and the solemn promise of the United States Government that

at last caused them reluctantly to sell their birthright in this fair land for only a tithe of its real value.

In February, 1830, the "Planters' Bank" was established at Natchez, with a capital of three millions of dollars, of which two millions were reserved for the State.

QUESTIONS ON CHAPTER XVI.

What plans of internal improvement were made during Governor Brandon's term of office? What is a striking manifestation of the prosperity of a country? Show how the Government and people of that day appreciated this fact. What of the "Levee System?" What of the excitement concerning the National Bank during Andrew Jackson's term of office? How did Governor Brandon differ in opinion with many of the people of the State on this question? What caused the "Flush Times in Mississippi?" What was styled "Wild-Cat Banking?" Consequences to the people of the State? Adjustment of accounts between the States of Alabama and Mississippi? Re-election of the Governor and Lieutenant-Governor? Character of Governor Brandon? How did the State appropriate the receipts from the "Three per cent. Fund?" When did Congressman Thos. B. Reed die, and who was named as a candidate for the vacancy? Cause of failure to elect Mr. Poindexter? Who was the successful candidate? How long did he serve? How was his early death considered? Who was appointed to fill the vacancy thus caused? What of the treaty of "Dancing Rabbit?" What did the Choctaws cede to the United States by the terms of this treaty? What did the Government promise on its part? Was this treaty faithfully kept on each side? How did the Indians seem to regard their removal? Mention their generous treatment of the four leading chiefs. What of their pensions of the veterans of former wars? Death of Push-ma-ta-ha? How was his wife provided for? Whither were the Choctaws removed? What article of the treaty of "Dancing Rabbit" afterward became a source of trouble to the Government? Explain how? In addition to the grant of land, what sum of money did the Government agree to pay to the Choctaws? Did the four leading chiefs accompany the tribe west of the Mississippi? What policy has been pursued by the Government of the United States on the "Indian Question?" Did it ever become a factor in politics? Sides espoused by the Whigs and

Democrats, respectively? What of individual members of the Choctaw nation? Give a sketch of the life of Greenwood Le Flore. Show how he advanced the civilization of his tribe. How did he employ himself after the treaty of "Dancing Rabbit?" In what year did the Chickasaws cede their possessions to the Government of the United States? When and where was the treaty ratified by the tribe? To what did the Government agree? How was bad feeling engendered? Characteristics of the Choctaws and Chickasaws? Are they to be condemned for being unwilling to leave their homes?



CHAPTER XVII.

1831-1833-1835.

1. Natchez, from an early period, was noted for the number and brilliancy of her public men. The famous statesman and orator, Sargent S. Prentiss, laid the foundation of his future career there at a time when the attention of the whole country was absorbed in the transactions between the Government and the Indians. Prentiss was a native of Portland, Maine; was born in 1808, and came to Natchez in 1827. He had received a liberal education, and engaged in teaching school for a while before beginning the practice of law. Robert J. Walker, afterward a noted statesman, was the legal preceptor of Prentiss, who, in 1829, entered upon the practice of law in Natchez, though in a few years he removed to Vicksburg, and formed a partnership with Judge Guion, one of the most prominent lawyers of the State.

2. Robert J. Walker emigrated to Natchez from Pennsylvania in 1826. He soon achieved high standing at a bar already crowded with men of talent, and in 1828 was appointed to make a report of the decisions of the Supreme Court, from its establishment in 1818 until 1832, when the entire system of the judiciary was changed. The work, under the title of "First Mississippi Reports," was considered a masterpiece of literary ability and legal learning.

3. In 1831, Abram M. Scott, who had served two terms as Lieutenant-Governor, was elected Governor. The State representatives in Congress from 1828 up to this time were W. Haille, Franklin E. Plummer, Harry Cage and David Holmes. The country was at this time in the full enjoyment of peace and prosperity. In 1832 a convention was called for the

purpose of revising and amending the first Constitution of the State. It met at Jackson on the 10th of September, and continued in session until the 26th of October, 1832. Delegates from twenty-six counties were present, presided over by Judge Pray.

4. The Revised Constitution adopted by this convention presents some important amendments to the Constitution of 1817. One was the abolition of the office of lieutenant-governor. Unlimited tenure in office and property qualifications for office or suffrage were also abolished. The judiciary of the State underwent a complete revision. It was now made to consist of a High Court of Errors and Appeals, a Superior Court of Chancery, District Chancery Courts, and District, or Circuit, Courts. The officers of courts, instead of being appointed, were to be elected.

5. Judge William L. Sharkey was the first Chief Justice elected under the provisions of the new Constitution. He was a profound lawyer, a public man of the most exalted integrity, and a citizen whose private character was unassailable. He had been a resident of Mississippi from his boyhood, and had labored arduously and incessantly to advance the rising fortunes of the State. He held the office of Chief Justice of Mississippi for eighteen years.

6. In 1831, the first railroad and telegraph company in the State was incorporated under the name of the "West Feliciana." It extended from Woodville to St. Francisville. The road from Vicksburg to Jackson was incorporated the same year. In 1833 the road from Grand Gulf to Port Gibson was chartered, and afterward the building of a new railroad through the State was almost a yearly occurrence. The State improved with equal rapidity in other particulars.

7. Ex-Governor David Holmes died on the 20th of August, 1832. At the time of his death he was a member of the Lower House of Congress from Mississippi. He was succeeded by Powhattan Ellis, who in turn was succeeded by

John Black, who, under the new Constitution, was elected for the full term.

8. In 1833, under the provisions of the Revised Constitution, fourteen new counties were organized, mostly out of



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the territory acquired from the Choctaws. These were Attala, Carroll, Choctaw, Leake, Lauderdale, Scott, Smith, Tallahatchie, Winston, Yallabusha, Neshoba, Noxubee and Oktibbeha. The Chickasaw cession was not divided into counties until several years later.

9. In February, 1833, the Legislature passed anti-tariff and anti-nullification resolutions. Great excitement prevailed throughout the entire country on account of the contest between President Jackson and the United States Bank, and also on account of the nullification doctrines promulgated by South Carolina.

10. National politics had almost entirely absorbed questions of a local character in Mississippi. The "Whig" and

“Democratic” parties had superseded the old organizations, which for many years had nearly evenly divided politicians and people. Andrew Jackson was the national leader of the Democratic party, Henry Clay of the Whigs. A new party was also forming in the South, although its growth was at first very slow. This was the “States’ Rights Party,” whose cardinal doctrine was the sovereignty of each State over its own actions. This party in South Carolina, led by John C. Calhoun, at one time Vice-President of the United States, had come very near having an open breach with President Jackson in regard to the enforcement of the tariff laws.

11. South Carolina opposed violently the high tariff upon imported goods, and declared her intention of either resisting the collection of the duties in her ports, or of seceding from the Union. The successful resistance of the collection of these duties would have rendered the tariff laws null and void, hence it was called the doctrine of “Nullification.” President Jackson, though opposed himself to high tariff laws, was very indignant at the threats made by South Carolina, and a serious collision would doubtless have taken place, had not Henry Clay, at an opportune moment, brought forward a bill by which a compromise was effected.

12. The excitement caused by President Jackson’s order for the removal of the funds from the National Bank was not so easily quelled. Many considered it an act of despotism on the part of the President, which might be followed by others of a similar nature. Senator Poindexter and Judge Black, representing Mississippi in Congress, viewed the action of the President in this light, and voted accordingly, though at the sacrifice of their popularity at home, as the majority of the people of Mississippi were of the opinion that Andrew Jackson could do no wrong. Judge Black was even requested to resign his place in Congress, but he failed

to comply at once, keeping his seat until near the close of the term.

13. So persistent were the efforts of Henry Clay to preserve the peace, that he became known, from the numerous bills he introduced in Congress, as the "Great Compromiser." On being reminded at one time that he was endangering his chances for the Presidency by this course, he gave utterance to his famous remark, "*I would rather be right than President.*"

QUESTIONS ON CHAPTER XVII.

What of the number and brilliancy of the public men of Natchez? Sargent S. Prentiss? Robert J. Walker? "First Mississippi Report?" At the close of Governor Brandon's second term, who was elected to succeed him? State Representatives in Congress from 1828 to this time? Condition of the country? When and where was the next Constitutional Convention held? How many counties were represented? Give some of the amendments to this Constitution? The Judiciary of the State—of what did it consist? First Chief Justice of the State under the Revised Constitution? His character? When was the first railroad and telegraph company incorporated in Mississippi? Subsequent railroad companies? When did the death of ex-Governor Holmes occur? Who succeeded him in the Lower House of Congress? Who was elected for the full term under the new Constitution? What of the organization of new counties under the Revised Constitution? When were resolutions on the tariff and nullification doctrines passed by the Legislature of Mississippi? What two parties now monopolized the great political questions of the day? Who were the National leaders of the two great parties? What new party was slowly forming in the South? Leader of this party in South Carolina? Conflict between South Carolina and President Jackson? Excitement on the National Bank question? Action of the Mississippi Congressmen on this question? Action of Mr. Clay to preserve peace?

CHAPTER XVIII.

1833-1836.

1. In February, 1833, the Legislature authorized the leasing of the sixteenth section of land for a specified time, and the selling of the thirty-six sections granted by the United States to the State of Mississippi, the proceeds of the whole to be devoted to the cause of education in the State.

2. The net proceeds of the crop of Mississippi in the year 1833 amounted to \$11,316,000. In 1834 it reached the sum of \$15,000,000.

To the deep regret of all classes in the State, Governor Scott died in 1833, before the expiration of his term of office. He was a man of progressive spirit, deeply interested in the material prosperity of the country, and just prior to his unexpected death had projected several plans for the internal improvement of the State. At the next regular election Hiram G. Runnels was elected Governor.

3. The question of slavery was just beginning to agitate the country at this time, many of the inhabitants of Mississippi, in common with those of other Southern States, advocating gradual emancipation and the subsequent colonization of the negro.

4. When the excitement over the contest between General Jackson and the National Bank was at its height, the President appointed Samuel Gwin, the son of one of his early friends, to the office of Register of the Land Office, at Mt. Salus, now called Clinton.

Dr. William M. Gwin, brother of Samuel Gwin, was also appointed to an important office in Mississippi, though both of them were citizens of Tennessee. These appointments were the cause of great dissatisfaction throughout Mississippi,

where it was thought that offices should be filled by residents of the State. President Jackson was immovable, however, and the appointments stood, though against the remonstrances of our Senators and Representatives in Congress. Henceforward, for a lengthy period of time, the Gwins became important factors in the political problems of the day. Dr. Gwin was a man of extraordinary ability, and soon rose to eminence as a leader of the Democratic party. Through his influence Robert J. Walker, of Natchez, was induced to take the field as the Democratic nominee for Senator in opposition to ex-Governor Poindexter, who was the choice of the Whig party for that office.

5. A new era in the prosperity of Mississippi may be dated from the year 1835. The Revised Constitution, which had been received by the people at first with many misgivings, was found to be admirably adapted to the interests of the State. The recent acquisition of territory from the Indians had also enlarged the fields of industry and enterprise.

Immigrants from the older Southern States found in this new and undeveloped region a rich field for the investment of labor and capital, and the lands, as soon as thrown upon the markets, found ready purchasers. The early white settlers in the Chickasaw cession found a country beautifully wooded with hickory, oak, and maple, with a surface rather rolling, but highly productive.

Cotton, as in most other portions of the State, was from the first the staple product. For a long time, until the building of railroads became general, the chief outlet of this region was by wagons to Memphis.

6. Prior to the opening of the political campaign in 1835, Governor Runnels, in view of several important measures that required attention, called a special session of the Legislature. Several of the counties, formed from the newly-acquired Indian Territories, had claimed the right of repre-

sentation, and the Governor had already issued writs of election to the same. After the Governor had been notified by a committee from both Houses of the organization of the Legislature, the Senate refused to recognize the House of Representatives on account of the presence of the members from the new counties, declaring their election and admittance to have been unconstitutional. It also refused to join the House in the election of a United States Senator.

7. The House of Representatives, supported by the Governor, denied the right of the Senate to decide upon the constitutionality of another body, declaring that each branch of the Legislature was competent to decide upon the qualifications of its own members. A message to that effect was communicated to the Senate, which, immediately after its reception, adjourned, and immediately afterward the House adjourned until the next regular session of the Legislature.

8. The thirty-six sections of land granted to the State by the general government for a "Seminary of Learning" were sold for a sum sufficient to justify the State in the establishment of a university, and commissioners from different sections of the State were appointed to select a suitable location for the same.

9. The political campaign of 1835 was one of the most exciting ever known in the history of the State, on account of the nearly equally-balanced power of the two great parties participating in it.

The Democrats renominated Governor Runnels, whose administration had been both able and popular, the Whigs opposing to him Hon. Charles Lynch, a wealthy cotton-planter of the eastern portion of the State. Both parties made a thorough canvass and with about equal success, as the election proved that an equal number of officers had been elected from each ticket. The Whigs elected the Governor, and a majority of the members of the Legislature voted for Walker against Poindexter. J. F. H. Claiborne,

the future historian, was elected to Congress by the Democrats. David Dickson was the Whig member elected.

10. At the time of Mr. Walker's election to Congress, the leading question before that body was the annexation of Texas to the United States. He was a warm advocate of that measure, and some of his most eloquent speeches were delivered in behalf of it. He voted on all occasions with the party which had elected him, and on the introduction of the question of slavery into politics, took a strong ground in defense of that institution.

11. The first meeting of the Legislature after the election of 1835 was productive of some very important results. Among the Whig members was S. S. Prentiss, representing Warren county.

Thirteen new counties were organized from the Chickasaw cession by the Legislature. They were Panola, Newton, Tunica, Tishomingo, Tippah, Pontotoc, Lafayette, Itawamba, De Soto, Marshall, Coahoma, Chickasaw, and Bolivar.

12. Immediately after the organization of the Chickasaw counties, it was moved that they be allowed representation at the next meeting of the Legislature. This called forth the same arguments that had divided the Legislature the previous session. The Governor was applied to for writs of election, but declined to give them on the ground that no vacancy existed. No action was taken on the subject by this Legislature, the whole question being postponed until the next session.

13. A bill was passed at this session appointing commissioners and an architect for the erection of a State House at the seat of government, a large sum of money having been appropriated for that purpose. The sum of seventy-five thousand dollars was also appropriated for the establishment of a penitentiary within two miles of the capital.

QUESTIONS ON CHAPTER XVIII.

What action did the Legislature in 1833 take in regard to the sixteenth section of land? The thirty-six sections? Give figures on crop of Mississippi in 1833. When did Governor Scott die? Give an outline sketch of his character. Who succeeded him at the next regular election? What question was just beginning to agitate the country? Appointment of Samuel Gwin to the Land Office? Why were the appointments of the Gwins so distasteful to the people of the State? Through whose influence did the Gwins become important factors in the politics of the State? When did a new era of prosperity begin for our State? Some of the causes of the change? Immigration from the older States? The Chickasaw country? The production of cotton? Why did Governor Runnels, in 1835, call a special session of the Legislature? Claim of the new counties for representation? Contest between the two Houses on this question. Show how the State was enabled to establish her University at this time? Why was the political campaign of 1835 of such an exciting character? Name the nominees of each party? Who was elected Governor? Hon. J. F. H. Claiborne? Who defeated Poindexter for the Senate? What was then the leading question in Congress? Which side did Robert J. Walker espouse? Why was the meeting of the Legislature of 1835 productive of important results? Show how the contest over the Chickasaw counties was renewed. What appropriations were made by this Legislature?

CHAPTER XIX.

1837-1839.

1. The Union Bank of Mississippi was established in January, 1837, with a capital of \$15,500,000, the amount to be raised by means of a loan to be obtained by the directors of the institution. When the stock in this bank had been secured by a mortgage on the property of the stockholders, Governor Lynch was directed to issue bonds equal to the amount subscribed.

2. In the fall of 1837, Governor A. G. McNutt succeeded Governor Lynch. As State Senator at the time the bank was chartered, he had recorded his vote against the Act. In February, 1838, however, when the bill was re-enacted, it received his approval as Governor. February 15, 1838, the Legislature passed a Supplementary Act authorizing the Governor to subscribe for fifty-thousand shares of the bank stock, to be paid for out of the proceeds of the bonds to be executed to the bank, in accordance with the provisions of the original charter. Commissioners were appointed to sell the State bonds at their par value in any market of the United States or in any foreign market, and, accordingly, on the 18th of August, 1838, five million dollars' worth of bonds were sold to the President of the Bank of the United States, and sent by him to London, England, as collateral security for a loan already made. Payment was made on these bonds, but the stockholders were the only beneficiaries, the Treasury of the State never receiving a dollar of it.

3. At the meeting of the Legislature in 1837, the right of the Chickasaw counties to representation again came up for discussion. Ten representatives from the new counties presented themselves, basing their claim upon the ninth

section of the third article of the Constitution, which declares that the Legislature shall, "at their first session and at periods of not less than every four, nor more than every six years, until the year 1845, and thereafter at periods of not less than every four, and not more than every eight years, cause an enumeration to be made of all the free white inhabitants of this State, and the whole number of representatives shall, at the several periods of making such enumeration, be fixed by the Legislature, and apportioned among the several counties, cities, or towns entitled to separate representation, according to the number of free white inhabitants in each, and shall not be less than thirty-six nor more than one hundred. *Provided, however,* that each county shall always be entitled to at least one representative." Jacob Thompson, a rising young lawyer, took an active part in favor of the right of these counties to representation.

4. The opponents of the admittance of the representatives, led by Sargent S. Prentiss, declared the whole matter revolutionary and unconstitutional. The Governor of the State had declined to issue writs of election, and the inhabitants had caused them to be made out by the boards of police of their respective counties. After a protracted and exciting debate, the vote of the House was taken, and the new members admitted by a small majority. Congress passed an Act about this time indemnifying the State for her right to the sixteenth section of land within the Chickasaw cession, though the indemnity was wholly inadequate to the loss sustained.

5. A special election was held in July, 1837, to fill a vacancy existing in the Lower House of Congress. J. F. H. Claiborne and S. J. Gholson were the Democratic candidates for office, and S. S. Prentiss and T. J. Word were the Whig candidates for the same. The active part taken by the gifted Prentiss against the representation of the Chicka-

saw counties had rendered him very unpopular in that section of the country, and he was easily defeated. Claiborne and Gholson were elected by a handsome majority. On the organization of Congress, the right of the Governor of Mississippi to order a special election in this case was



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questioned, but after some discussion it was acknowledged to be valid.

6. The regular elections in Mississippi came off the following November. The same candidates for Congress were nominated as for the special election, and Prentiss and Word were elected by a large majority. The former had canvassed the State previous to the election, and his wonderful eloquence had revolutionized the sentiments of the people, including those of the Chickasaw counties. The election was contested by Claiborne and Gholson, who claimed their seats in Congress on the grounds that the

July elections expressed the will of the people, and that as Congress had already decided the question, the decision could not now be reversed. During this celebrated contest Mr. Prentiss acquired a national fame for oratory. His speeches in defense of himself and colleague electrified the country. The decision of Congress, however, was adverse to his hopes and interests, and the Democratic members retained their seats for the remainder of the term.

7. The vacancy in Congress caused by the resignation of Judge Black, just before the expiration of his term of office, was filled by the election of Judge James F. Trotter, a resident of the Chickasaw country. In 1838 the boundary line between Mississippi and Tennessee was established, Mississippi surrendering a portion of territory north of the line, over which she had formerly claimed jurisdiction. Ex-Governor Charles Lynch was this year appointed Commissioner of Public Buildings.

8. The system of banking inaugurated in Mississippi with the introduction of railroads, proved very disastrous to the best interests of the State. At least twenty banking institutions were incorporated in the State between the years 1830 and 1840, the time known since as the "flush times of Mississippi." Public lands were settled with a very superior class of immigrants, new post-offices and mail routes were established everywhere, and railroad and telegraphic companies began linking the most isolated portions of the State with the outside world.

9. Before the bonds of the Union Bank became due they were declared by Governor McNutt to be worthless, on account of the failure of the Commissioners to sell them at par, as required by the Supplementary Act under which they were issued. This proclamation caused intense excitement throughout the State. Public meetings were held and the motives of Governor McNutt assailed by such men as Poindexter, Prentiss and other able leaders of both parties.

For years the great political question in Mississippi was the payment or non-payment of these bonds.

10. Governor McNutt opposed the loose system of banking uncompromisingly. He contended that the same power that granted charters could repeal them, and recommended that most of them be repealed. The great body of the people from whose ranks he had risen, and to whose interests he had ever remained faithful, sustained him through all the storm of opposition and censure provoked by his course on the bond question, and at the next election triumphantly vindicated him by electing him for a second term of office.

11. At the expiration of the special term for which Claiborne and Gholson had been elected to Congress, Governor McNutt issued a proclamation for a new election to be held on the fourth Monday in April, 1838. Mr. Gholson declined the nomination for this election, and the name of General James Davis was placed upon the Democratic ticket with that of Claiborne. Prentiss and Word were again nominated by the Whigs, who, under the leadership of Judge Sharkey, were confident of victory. The contest was protracted and exciting, each party massing all its available strength in the struggle for victory. Unfortunately for Mr. Claiborne, feeble health would not allow him to participate in the canvass personally, as did his adversary, the eloquent Prentiss, whose personal magnetism and fiery eloquence finally turned the scales in favor of the Whigs. Prentiss and Word were elected by a majority of nearly one thousand.

12. Hon. James F. Trotter, who had been elected to Congress after the resignation of Judge Black, resigned the position soon after accepting it. In November, 1838, Thomas H. Williams, a veteran in public service, was appointed to fill the vacancy. March 4, 1839, John Henderson was elected to Congress for a full term. The year 1837 was

marked by a period of great financial distress all over the Union. Martin Van Buren, the recently-elected President of the United States, was inaugurated on the 4th of March, 1837. He was elected by the Democratic party, the Whigs having incurred defeat by a division of their ranks. Mississippi, in common with her sister States, felt this financial pressure, but the ambition, thrift and aggressiveness of her people brought her safely through this time of trial.

Mr. Van Buren's administration was held responsible for the financial disasters of the country, and the result was the triumph of the Whigs at the next presidential election.

QUESTIONS ON CHAPTER XIX.

What bank was established in 1837, and with what capital? Who succeeded Governor Lynch? Show how his vote stood on the establishment of the Union Bank. What was the "Supplementary Act?" How were the Union Bank bonds disposed of? What question again came up for discussion in the Legislature of 1837? Why did the Chickasaw counties claim the right of representation? What rising young lawyer took an active part in these proceedings? Who led the opposing party? How was the question finally disposed of? Act of Congress in reference to the sixteenth section of Chickasaw lands? Why was a special election held in 1837? Name the candidates of the opposing parties. Who were the successful ones? At the next regular election, what candidates were elected to Congress? What had wrought the change in the sentiments of the people? Upon what grounds was the election contested? What gave Prentiss a national fame? How was the contested election case decided by Congress? Who was elected to fill the vacancy caused by Judge Black's resignation? Boundary line between Mississippi and Tennessee? Internal improvements in the State? Declaration of Governor McNutt in reference to Union Bank bonds? Result of this declaration? What became the great political question of the day? What position did Governor McNutt assume, and by whom was he sustained? His re-election? Democratic nominees for Congress? Whig? By what majority were Prentiss and Word elected? Who succeeded Judge Trotter by appointment? By election? Financial panic of 1837? Democratic President? How was it held responsible for the financial distress?

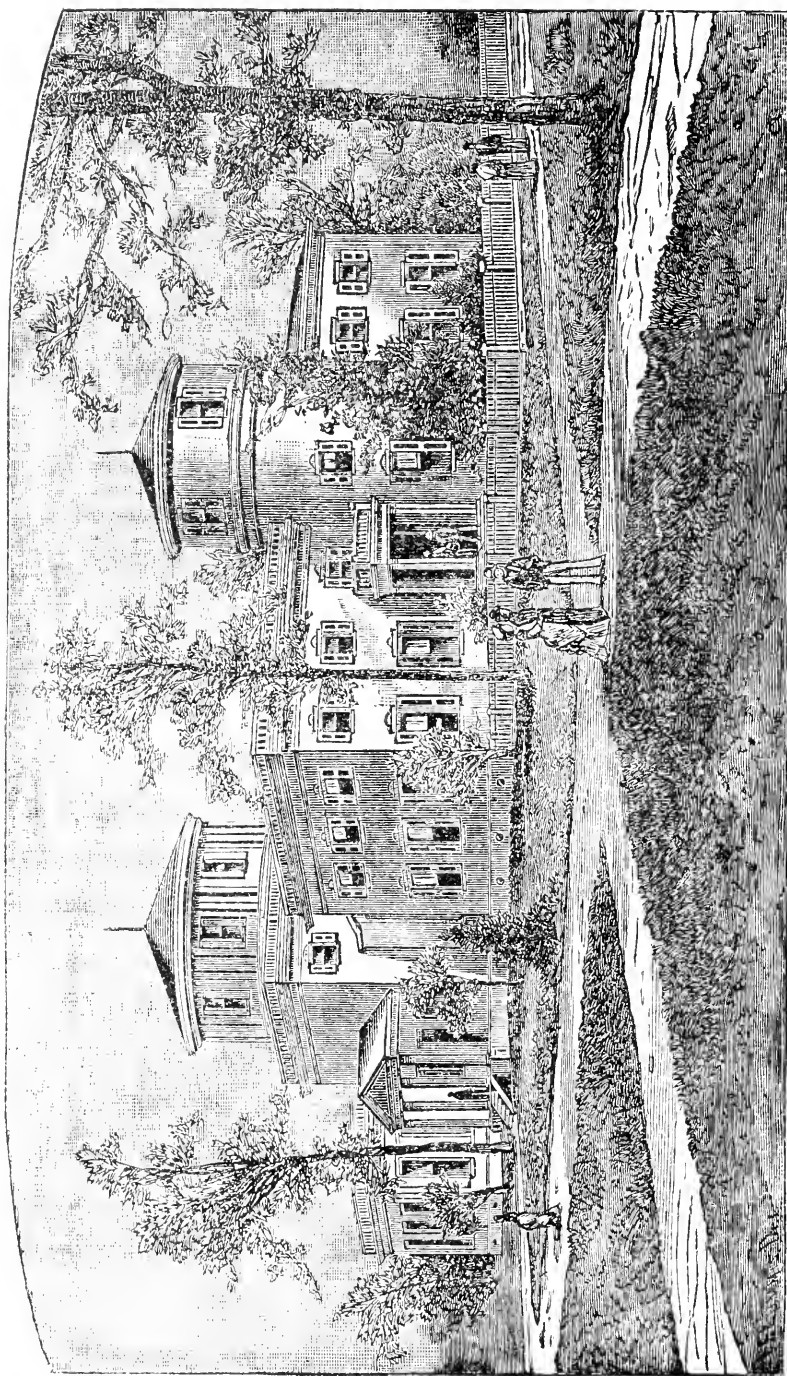
CHAPTER XX

1839-1845.

1. The campaign of the spring of 1838 closed Mr. Claiborne's public life. Declining all offers of political preferment, he devoted himself thenceforth to journalism and literature. His "Mississippi as a Province, Territory, and State" is an enduring memorial of his patience, perseverance and greatness as a writer, though written after he had reached an advanced age. The convention which re-nominated Governor McNutt, in the fall of 1839, realizing the need of the Democratic party for strong men, selected Albert G. Brown and Jacob Thompson as candidates for congressional honors. Both had served in the State Legislature, and each had acquired favor in the eyes of the people by their views upon financial matters.

2. After a vigorous contest, in which the banking system and bond question played an important part, the Democratic nominees were elected. One of the absorbing questions of that day was the annexation of Texas to the Union. Many of the most prominent citizens of the State became, voluntarily, champions of the annexation movement, and many recruits for the "Army of Independence" were obtained in our State. Robert J. Walker and Felix Houston, both citizens of Mississippi and ardent politicians, were earnest advocates of the cause of Texas.

3. In 1840, the Legislature passed an Act for the location of the State University. This Act provided that several sites should be selected by ballot, and from these, commissioners appointed for the purpose of examining them, were to select the one most suitable for the location of the University. The commission reported to the next session of the



OBSERVATORY OF THE UNIVERSITY OF MISSISSIPPI.

Legislature that lands for the location of the proposed University had been purchased at Oxford, Lafayette county, a portion of the Chickasaw cession.

4. The "Seminary Fund" was appropriated for the benefit of the University. A "State Agricultural Society" with auxiliary branches in each county was formed in 1841. That same year, Hope & Company, of Amsterdam, Holland, in a communication addressed to Governor McNutt, asked that the State of Mississippi take immediate measures for the payment of the interest, due at that time, and that which would successively fall due on the five millions of dollars' worth of Union Bank bonds then in their possession.

5. This demand of foreign capitalists was made upon the State despite the fact that the Union Bank had long been hopelessly bankrupt and its bonds condemned as utterly worthless. Governor McNutt stated his reasons, in a reply to Hope & Company, for believing that the bonds were unconstitutional and that the State could not be held responsible for their payment.

This correspondence was made public and was the cause of intense excitement throughout the State. A very large and influential party, led by Prentiss, the Yergers, Judge Sharkey, and others, believed that the payment of the Union and Planter's Bank bonds was legally binding upon the State, and this party, re-enforced by those Democrats who also believed that the honor of the State was involved in the payment of the bonds, made a bitter warfare against Governor McNutt and the party he represented.

6. Notwithstanding the opinion of men of high legal standing, the masses of the people considered the bonds of the Union Bank invalid and their non-payment by the State just and right, and they regarded Governor McNutt's reply to the Amsterdam company as a complete vindication of the honor of the State. McNutt's views were also endorsed by Jacob Thompson, then representing the State in Congress,

he maintaining that the people of Mississippi were neither legally nor morally responsible for the payment of the bonds. The political excitement of this year rivaled that of 1835. The Whig candidate for Governor was David O. Shattuck, a Methodist minister of great influence and also a lawyer of ability.

7. T. H. Tucker was nominated for Governor by the Democrats, with William M. Gwin and Jacob Thompson for Congressmen, Albert G. Brown declining a re-nomination ; Robert J. Walker was nominated for the office of United States Senator. This was a strong ticket, and was very easily elected. Had the Whig party possessed three times its moral worth, it must have gone down under the tremendous weight of the bond question. The majority of the people were convinced that they were not responsible for the payment of the debt, arguing that it was contracted in the interest of a few capitalists who had enriched themselves without a thought of benefit to the State. The majority by which William M. Gwin was elected to Congress was twenty-five thousand, the result of personal popularity and a skillfully conducted campaign.

8. In 1842, the office of State Librarian was instituted at a salary of four hundred dollars a year. The annual allowance for the increase of the State library was fixed at five hundred dollars, with a contingent allowance for the use of the librarian. A levee survey was made this year, beginning at the northern boundary of the State and ending at the mouth of the Yazoo river. Congress had but recently donated to the State of Mississippi, on certain conditions, five hundred thousand acres of land for purposes of internal improvement, and the public now began to reap the benefit in improved roads, new bridges, railroads, etc.

9. During the administration of Governor Tucker the financial condition of the country improved rapidly. In 1843 the representation of the State in Congress was

increased to five members in the House of Representatives. The Democratic Convention nominated Jacob Thompson, Governor Tucker, W. H. Hammet, and R. W. Roberts; W. M. Gwin declined a re-nomination. Albert G. Brown, who had recently represented the State in Congress, received the nomination for Governor, his name adding greatly to the strength of the ticket, which was elected entirely with but little difficulty. William M. Gwin and Robert J. Walker were delegates from Mississippi to the celebrated Baltimore Convention of 1844, in which the question of the annexation of Texas assumed vital importance. Mr. Gwin and Mr. Walker are said to have been mainly instrumental in nominating James K. Polk, of Tennessee, for the presidential office.

10. Joseph W. Matthews, of Marshall county, and Jefferson Davis, of Warren, were nominated by the Democratic party for presidential electors from the State at large. This was the beginning of the celebrated political career of Jefferson Davis. Educated for a soldier, he had been a lieutenant in the Black Hawk war, and had subsequently retired to his plantation, Briarfield, in Warren county.

11. Governor Brown's administration was distinguished by many important measures, and the permanent interests of the State were greatly advanced under his wise supervision.

The first trustees of the University of Mississippi were appointed in 1844. Fifty thousand dollars were appropriated during the years 1846-7 for the benefit of that noble institution of learning, which was to fit the sons of Mississippi for the most advanced paths of life. Robert J. Walker, of Mississippi, was made Secretary of the Treasury under President Polk. Upon his resignation as Senator, Judge Joseph W. Chalmers, a distinguished lawyer of Holly Springs, was appointed to fill the vacancy. In March, 1845, Hon. Jesse Speight was appointed Senator to succeed Hon. John Henderson.

12. In September of this year, Mr. Prentiss, whose whole fortune had been swept away by an unfortunate law-suit, left Mississippi and established a law practice in New Orleans, Louisiana. His departure was deeply regretted by the citizens of the State of which he had been one of the brightest ornaments. Although his fame is national and can be confined to no particular section of our common country, Mississippi will always remember with just pride the career of her favorite son.

13. In 1845, Texas, by Act of Congress, was annexed to the United States. Mexico resented this by such hostile demonstrations that General Zachary Taylor was ordered by the Government to place his troops in a position to defend the Territory of Texas, in case of its invasion by Mexico. This order awakened the military enthusiasm of the whole country, Mississippi taking the initiative in sympathizing with the wrongs inflicted upon the "Lone Star" of the West.

14. Saturday, the 12th of July, 1845, was set apart by the citizens of Mississippi for manifesting their sorrow for the death and gratitude for the services of the illustrious soldier and statesman, ex-President Andrew Jackson. Business was suspended, processions formed and marshaled to different places of worship, where appropriate funeral services were held in memory of the dead chieftain who had saved the early inhabitants of the State from the horrors of Indian warfare.

15. The election of James K. Polk to the presidency was a triumph of the Democratic party. Henry Clay, the idol of the Whigs, had been the nominee of that party, but, notwithstanding his great personal popularity and his reputation as a disinterested patriot, he was defeated by the all-absorbing question of the day—the annexation of Texas—to which Polk was pledged.

QUESTIONS ON CHAPTER XX.

When did J. F. H. Claiborne retire from public life? Democratic nominees for Congress? One of the absorbing questions of the campaign? When and where was the State University located? State Agricultural Society? Demand of Amsterdam capitalists? How did Governor McNutt meet the demand? Effect of the correspondence? Leaders of the party opposed to McNutt? Opinion of the masses? How expressed? Whig candidate for Governor? Democratic? Democratic ticket for Congress? What question defeated the Whigs hopelessly? Majority of William M. Gwin? When was the office of State Librarian instituted? Levee survey? Internal improvements? Financial improvement during Governor Tucker's administration? How was the representation of the State in Congress increased? Election of the entire Democratic ticket? Who were the delegates from Mississippi to the Baltimore Convention? Presidential electors from Mississippi? Opening of the career of Jefferson Davis? For what was Governor Brown's administration noted? What office did Robert J. Walker hold under Polk's administration? Who was appointed as his successor? Removal of S. S. Prentiss to New Orleans? What of the annexation of Texas? Hostile demonstrations of Mexico and action of United States authorities? Death of Andrew Jackson? Election of James K. Polk, and defeat of Henry Clay for the presidency?

CHAPTER XXI.

1845-1848.

1. In 1845, Jacob Thompson was again elected to Congress by a large majority. His colleagues were Jefferson Davis, Stephen Adams, and R. W. Roberts. Mr. Davis at that time was considered a young man of brilliant talents, an eloquent debater, and an able defender of the doctrines of his political creed.

2. There were a number of Democratic candidates this year for the office of United States Senator. Among them were William M. Gwin, ex-Governor McNutt, and General John A. Quitman. None of them were successful, as the Whig candidate, General H. S. Foote, was elected, receiving a majority of the votes cast in the Legislature. Judge Chalmers had served out the unexpired term of Walker, first by appointment and afterward by election. Although Foote was elected in January, 1846, his term of office did not begin until the 4th of March, 1847.

3. The Boards of Police of the respective counties were empowered, in 1846, to levy a special tax for common school purposes, and all fines, licenses, forfeitures, etc., were to be appropriated for the benefit of the school fund. The Secretary of State was made *ex-officio* General School Commissioner, performing his duties under the superintendence and direction of the Governor.

4. Early in 1846, the unfriendly relations that had long existed between Mexico and the United States terminated in open warfare. The first American blood shed in this cause was that of Colonel Cross, a quartermaster-general, who, in April, 1846, while making a short horseback excursion into the country, was attacked and cruelly murdered by the Mexicans.

5. Volunteers from every Southern State flocked to the banks of the Rio Grande, when it was known that the standard of the Union had been unfurled there under that brave leader, General Taylor. When it became known that a requisition had been made upon Governor Brown for a regiment of "Mississippi Riflemen," the excitement and enthusiasm prevailing all over the State were unprecedented. It was impossible for the recruiting officers to accept all the volunteers who presented themselves. A regiment of ten companies was raised almost immediately after the call of the Governor for troops was made.

6. After the "First Regiment of Mississippi Volunteers" had been mustered into the service of the government, its officers were elected, and it was sent by way of Gulf of Mexico to the seat of war.

A colonel's commission was tendered by Governor Brown to Jefferson Davis, then representing Mississippi in the Lower House of Congress. Mr. Davis accepted the commission, resigned his seat in Congress, and joined his regiment in New Orleans. The regiment was forwarded immediately to General Taylor's headquarters, on the Rio Grande.

General John A. Quitman, who had headed a company of volunteers during the Texan war, was made a brigadier in the regular army in 1845, and before the expiration of the war was promoted to the rank of major-general.

7. Colonel Davis' regiment was placed, immediately after its arrival at headquarters, with General Quitman's brigade, and proceeded with it, during the summer of 1846, to Monterey, soon to become the theater of remarkable events. The regiment was greatly reduced in numbers by sickness before it arrived at Monterey, not more than four hundred being fit for active service.

8. During the three days' battle before that place, the Mississippi volunteers were exposed to the heat of the action, having, time after time, to repel the fierce charges

of the enemy's cavalry. Although Colonel Davis had gained a reputation for bravery during the Black Hawk war, his fame as a soldier and leader of men dates from the battle of Monterey. He was one of the commissioners appointed by General Taylor to arrange the terms of capitulation.

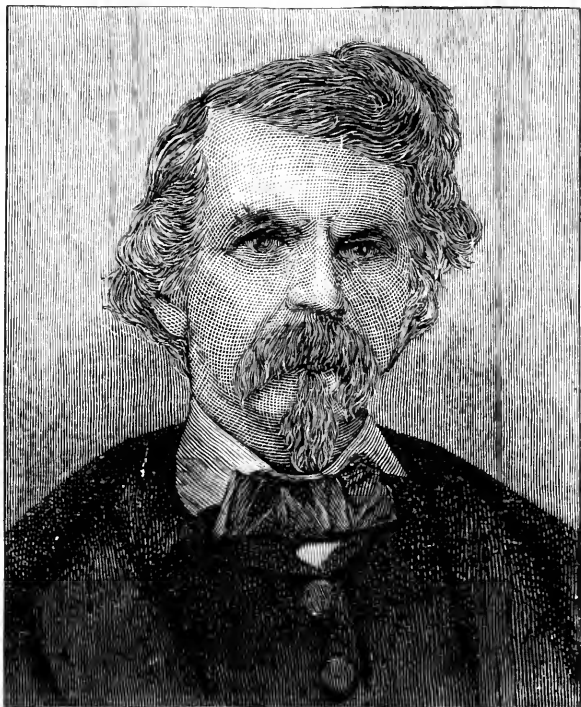
9. The loss of the First Mississippi regiment, at Monterey, was very great, considering the small number of men engaged. The whole number of killed and wounded was sixty-one. Among those dangerously wounded was Lieutenant-Colonel A. R. McClung, whose bravery on the field of battle was so conspicuous as to attract special attention from General Taylor, commander-in-chief.

The battle of Buena Vista occurred on the 22d and 23d of February, 1847. The following extract from the report of General Taylor, after the battle, shows that the gallantry of the Mississippi riflemen was not confined to the field of Monterey :

“The Mississippi volunteers, under Colonel Jefferson Davis, were highly conspicuous for their gallantry and steadiness, and sustained throughout the engagement the reputation of veteran troops. Brought into action against an immensely superior force, they maintained themselves for a long time, unsupported and with heavy loss, and held an important part of the field until re-enforced. Colonel Davis, though severely wounded, remained in the saddle until the close of the action. His distinguished coolness and gallantry at the head of his regiment on this day entitle him to the particular notice of the Government.”

10. One of the movements adopted by Colonel Davis during the course of this battle excited much attention in military circles and elsewhere. The Mexican cavalry, in heavy columns, were advancing to an attack upon the Mississippi troops, when Colonel Davis threw his command into the form of a letter “V” with the opening toward the enemy. The men were ordered to reserve their fire until

the near approach of the enemy enabled them to shoot with unerring aim, and it was not until their features were discernible that a deadly fire was poured into them, bringing down horses and men in one common slaughter. Again and again the Mexicans rallied, but to no purpose, as they were met each time by a deadly rain of bullets, which



EARL VAN DORN.

finally caused them to fall backward in hopeless confusion. Had the enemy conquered in that charge, says a writer of that day, "Santa Anna would have been the hero of Angostura."

II. Among the brave Mississippians in this war, Earl Van Dorn stands conspicuous. Appointed to West Point at the age of sixteen by President Jackson, he graduated at twenty years of age, and was ordered, as a second lieutenant, to duty in the far South. As a lieutenant in General Taylor's army he distinguished himself in battle by rehoisting his

country's flag, which had been cut down by a cannon-ball, while the enemy's artillery was tearing up the ground around his feet and death seemed inevitable. He was next conspicuous in the perilous charge made by General Worth at Monterey ; afterward at Cerro Gordo, where he was one of the first to mount the parapets and engage in a hand-to-hand conflict with the enemy. He fought at Cherubusco, and at Belen Gate, where he was slightly wounded, and was with our army when it made its triumphant entry into the City of Mexico. For gallantry of conduct, he was promoted to the rank of major before the close of the war.

12. A second regiment of Mississippi volunteers was organized for service in Mexico by Hon. Reuben Davis, of Aberdeen, who was elected its colonel. The war, however, terminating shortly after its organization, this regiment was not called into active service. On the return of General Taylor's troops from Mexico, they were awarded a reception in New Orleans, Sargent S. Prentiss bidding them welcome in the name of the city.

13. The entrance of the American army into the City of Mexico ended the war, though peace was not declared until February, 1848. Mexico made important concessions to the United States, the whole of California and New Mexico being given up to our government. Hon. Henry J. Ellett, a very distinguished lawyer of Mississippi, was appointed to fill out the unexpired term of Colonel Davis in Congress.

14. New measures were constantly arising in that body which required the whole strength, not of Mississippi alone, but of the entire South, and no man was more entirely devoted to the interests of his country than Judge Ellett. In 1847, Hon. Jesse Speight, Congressman from Mississippi, died while in the faithful performance of his official duties. Colonel Davis was appointed to the vacancy occasioned by Mr. Speight's death, and in 1848 received the appointment to the same place for the next term.

15. Judge H. S. Foote was appointed to succeed Robert J. Walker, who had been made Secretary of Treasury under President Polk. In 1847, Joseph W. Matthews, the Democratic candidate for Governor of Mississippi, was elected. Ex-Governor Brown was elected to the Upper House of Congress; Hon. Jacob Thompson, W. S. Featherstone, and P. W. Tompkins were elected to the Lower House of Congress. Governor Matthews was a "man of the people," plain and unassuming in manners and attire, but of remarkably strong will and powerful intellect. He possessed the confidence of the people to a remarkable extent.

16. The Mexican war was ended formally by the treaty of Gaudaloupe Hidalgo, which was concluded February 2, 1848. On the 4th of July following, President Polk made public the proclamation of peace. All the vast territory now comprised in New Mexico, Utah, and California, was ceded to the United States by this treaty. In return Mexico received a compensation of fifteen millions of dollars. Gold was discovered in California about the time of this treaty, and a remarkable rush to the Pacific Coast began from all parts of the world.

QUESTIONS ON CHAPTER XXI.

Congressmen elected from Mississippi in 1845? Contestants for the office of United States Senator? What Whig candidate received the office at the hands of the Legislature? Re-election of Judge Chalmers? Legislation for the benefit of the School Fund in 1846? When was open warfare declared between Mexico and the United States? First American blood shed? Volunteers from the South? What requisition was made upon the Governor of Mississippi? First Regiment of Mississippi volunteers? Its Colonel? Promotion of General Quitman? Proceedings of the regiment during the summer of 1846? Its gallant conduct during the battle of Monterey? Losses? Gallant conduct of Colonel McClung? Battle of Buena Vista? Report of General Taylor concerning the First Mississippi Regiment? Famous letter "V" movement of Colonel Davis? Sketch of Colonel Van

Dorn? By whom was the Second Regiment of Mississippi Volunteers organized? Why was it not called upon for active service? When was peace declared? Terms of the treaty with Mexico? Who was appointed to fill out the unexpired term of Jefferson Davis in Congress? New measures in that body? Death of Mr. Speight, and appointment of Mr. Davis to the vacancy? Appointment of Judge Foote? Election of Governor Matthews? Elections to the Upper and Lower Houses of Congress? Character of Governor Matthews? Treaty of Gaudaloupe Hidalgo? Proclamation of peace? Territory acquired by the United States? What compensation did Mexico receive in return? When was gold discovered in California?



CHAPTER XXII.

1848-1850.

1. In 1848, the Legislature passed an Act for the leasing of the Chickasaw School Lands for a specified term of years. These lands were stocked with very fine timber, upon which such extensive depredations were made by lawless persons that it became necessary for the State to interfere for the protection of its own rights. A Land Office was established at Jackson, and a public auction of these lands was held, but as the Act provided that they should not be sub-divided into tracts of less than one-quarter section each, the sale of the lots was much slower than had been expected.

2. In 1845, the city of Natchez established a public school system of its own, for "all free white children over five years of age within the corporate limits of the city." These schools were conducted in an admirable manner, supervised by a Board of Visitors and taught by thoroughly trained teachers. An "Institute for the Blind," supported by private contributions, was opened in Jackson in 1848. "Hutchinson's Mississippi Code" was finished in 1848, and submitted to the Legislature for approval. It contained a full and complete compilation of the statute laws of Mississippi, and was admirably adapted to the wants of the legal profession of the State. The Legislature purchased two thousand copies for distribution among the officers of the State.

3. The cotton crop of the State for the years 1848-9 was unusually small, and the price of the same was also extremely low. Added to this, there was also an unprecedented overflow of the great river forming our western

boundary. The cholera also made its appearance in the western portion of the State during the year 1849, and, for a time, under the influence of these combined evils, the finances of the State showed signs of great depression. By a careful and judicious policy, however, the State passed through these difficulties without serious embarrassment, and at the close of Governor Matthews' term of office he was able to congratulate the country on its peaceful and prosperous condition.

4. At the Democratic Convention in Baltimore in 1848, General John A. Quitman received a very complimentary vote for Vice-President of the United States. He was also nominated by the Democratic State Convention that year as one of the presidential electors of the State at large. In the fall of 1849 he was nominated to succeed Governor Matthews, and received the enthusiastic support of a majority of the people of the State. The Whig candidate for Governor, Hon. Luke Lea, received the support of his entire party, but General Quitman was elected by a majority of ten thousand. Our representatives in Congress at that time were Jefferson Davis, Henry S. Foote, Jacob Thompson, Wm. McWillie, and ex-Governor Albert G. Brown.

5. Early in the year 1850, these Senators and Representatives in Congress addressed a communication to Governor Quitman on a question which was then exciting the public mind everywhere, viz: the admission of California into the Union of States. The President of the United States in his annual message had recommended its admission, and it was supposed that a majority of both Houses of Congress would vote for it. Even before the ratification of a treaty of peace with Mexico, the slavery question had been violently agitated and the opponents of the institution in Congress sought to place restrictions upon its introduction into California and New Mexico before allowing them entrance into

the Union. This, of course, was contrary to the opinions and interests of the representatives from the slave States, and protracted discussions of this unfortunate subject were of constant occurrence.

6. The representatives of Mississippi wished, before casting their votes upon this question, to have an expression of



JUDGE WILLIAM L. SHARKEY.

opinion from the Governor and Legislature of the State, so that the course they might pursue would meet the approval of their constituents. On the 11th of February, 1850, Governor Quitman stated the exigencies of the case to the assembled Legislature, laying before them, at the same time, the address of their members in Congress. The Legislature agreed with the Governor that, on the common principles of equal justice to all the States of the Union, the common territory of the new States should be opened to all the older States alike, without regard to the laws respecting

their peculiar domestic institutions, and their representatives in Congress were advised to vote in accordance with this decision.

7. Governor Quitman was one of the first to suggest the idea of a general convention, composed of the delegates from the Southern States, who should consult together as to the best means of protecting the rights of slave-holding States. The celebrated Nashville Convention, of 1850, was the direct result of this suggestion. That illustrious statesman, Judge William L. Sharkey, was chosen President of this convention, and exercised the important duties of the office in a characteristic manner. Soon after the adjournment of the convention, he was offered the position of Secretary of War by President Fillmore, but declined the proffered honor. He resigned the office of Chief Justice about this time, and resumed the practice of law.

8. In September, 1850, the celebrated "Omnibus Bill," of which Henry Clay, the idol of the Whig party, was the author, was passed in Congress. It provided for the abolition of slavery in the District of Columbia; that California should be admitted into the Union as a free State; that ten million dollars be paid to the State of Texas as a compensation for the territory of New Mexico, and that a law be passed for the arrest and return to their masters of fugitive slaves.

9. This was the "Compromise Measure" of 1850, and upon its merits the people of Mississippi were very much divided. The party of which Governor Quitman was the representative, opposed the measure as unjust to the interests of the South, while the opposing party, under the leadership of Judge Sharkey and Senator Foote, were in favor of acquiescing in the terms of the bill. The controversies growing out of this measure finally led to the breaking up of old party organizations and the organization of the "Southern" or "States' Rights" party, which took the

place of the Democratic party for the time, and the Union or Constitutional party, which rose to life from the ruins of the Whig party.

10. From the census of 1850, some idea as to the rapid advance made by Mississippi in material prosperity may be obtained. The State was divided into fifty-nine counties, of which twenty-three were in Northern Mississippi, and thirty-six in the southern portion of the State. The whole number of inhabitants in the State amounted to six hundred and six thousand five hundred and sixty-five. Home manufactures for the year ending June 1, 1850, amounted to \$1,164,020.

11. The railroad prospects throughout the State were highly encouraging. The Vicksburg, Jackson & Brandon road had been finished and was in successful operation; while the Mobile & Ohio, the New Orleans, Jackson & Northern, which, when finished, would traverse the State from north to south, were in process of construction. The Memphis & Charleston, traversing the State from east to west on the north line, one from Madisonville on Lake Pontchartrain eastward to a junction with the Mobile & Ohio, and a line from Selma, Alabama, westward to Brandon, there to unite with the Vicksburg road, were also in course of construction. Lateral lines that would extend from these main lines to the centers of production, and so build up a system of local communication, both for travel and trade, were in contemplation.

12. The banking system was unsound and was a great drawback to the prosperity of the State. The Northern Bank of Mississippi, at Holly Springs, established with a capital of \$100,000, was in a sound financial state. The militia force of the State consisted of thirty-six thousand and eighty-four men, of whom eight hundred and twenty-five were commissioned officers. The Mississippi Lunatic Asylum and the Asylum for the Blind, at Jackson, were in

successful operation at this time. An Act passed May 23, 1850, apportioned to Mississippi five representatives to the Congress of the United States.

13. The common school system of the State had not proved as efficient as was desired, the widely-scattered population proving a great barrier to its success. Amendments to the School Law of 1846 had been made, and special laws to govern particular counties were enacted. The University of Mississippi, at Oxford, Mississippi College, at Clinton, and Oakland College, were the most noteworthy institutions in the State. In 1850 the University was equipped with six professors, and had an attendance of one hundred and thirty-four students.

14. The whole number of newspapers and other periodicals at that date was fifty-six. Of these, twenty-one were Democratic, sixteen Whigs and nineteen independent in politics. The *Sentinel* and the *Whig*, both published at Vicksburg, were issued tri-weekly; the *Natchez Courier* and *Natchez Free Trader* semi-weekly. Four weekly papers were published at Jackson, the capital; three each at Kosciusko and Houston; two each at Carrollton, Lexington, Fayette, Oxford, Canton, Holly Springs, Aberdeen, Pontotoc, and Woodville; one each at Liberty, Port Gibson, Gallatin, Hernando, Gainesville, Biloxi, Paulding, Monticello, Marion, Columbus, Macon, Holmesville, Panola, Brandon, Jacinto, Ripley, Louisville, Grenada, and Coffeeville.

15. The cotton crop of 1850 numbered four hundred and eighty-four thousand two hundred and ninety-three bales, of four hundred pounds each; tobacco, forty-nine thousand nine hundred and fifty pounds; wheat, one hundred and thirty-seven thousand nine hundred and ninety bushels; Indian corn, twenty-two million four hundred and forty-six thousand five hundred and fifty-two bushels.

The value of live stock in the State was placed at \$19,403,662. Of lands occupied, at \$54,738,634.

QUESTIONS ON CHAPTER XXII.

Action of the Legislature in regard to Chickasaw School Lands? Establishment of Land Office? Public-school system of Natchez? Institute for the blind? Hutchinson's Code? What of the cotton crop of 1848-9? Overflow? Cholera? Financial depression? Close of Governor Matthews' term? His successor? Whig nominee for Governor? Mississippi's representative in the National Legislature? Communication from these Senators and Representatives to Governor Quitman? What question was in violent agitation? Action of Governor Quitman and the Legislature of Mississippi on the communication from their representatives in Congress? Governor Quitman's suggestions in regard to a general convention of the slave-holding States? What of the Nashville Convention of 1850? Who was chosen President? What high official position did Judge Sharkey decline? Who was the author of the "Omnibus Bill" in Congress, and what were some of its provisions? How were the political parties in Mississippi divided on the merits of the "Compromise Measure" of 1850? To what did their controversies finally lead? State some facts drawn from the census of 1850. Railroads then in operation throughout the State? The banking system of the State? The State militia? Institution for the insane and for the blind at Jackson? Why had not the common-school system of the State proved more efficient? Amendments to the School Law? The University in 1850? Number of newspapers and other periodicals in the State at that time? What of the cotton crop of 1850?

CHAPTER XXIII.

1850-1852.

1. In 1850 the expedition against Cuba by Lopez was fitted out. Governor Quitman, of Mississippi, whose character and training rendered him the friend of the oppressed in every clime, openly sympathized with the enterprise, and for this he was arrested early in 1851 by the order of the President of the United States and carried to New Orleans to await his trial before the Federal Court, on the charge of having violated the laws of the land.

2. The arrest and removal of the Chief Executive of a State from his own seat of government caused great excitement, especially in Mississippi, where Governor Quitman was universally beloved and admired. Immediately after his arrest the Governor resigned his office, being unwilling to hold it while a charge of violating the law was pending against him. He accompanied his resignation with a letter to the people of the State, explaining his position and protesting against the arbitrary course of the President in causing his arrest.

3. The people received this letter with feelings of mingled regret and indignation, and the act of the United States Government was everywhere condemned. Governor Quitman was tried on the charges preferred against him and received honorable acquittal. The upright and manly course pursued by him during this trouble with the Government endeared him still more to the people of his own State, as was evinced by the action of the Democratic State Convention, which, in the fall of 1851, renominated him for the office of Governor.

4. After the resignation of Governor Quitman, the duties of the office devolved, as the Constitution required, upon the

President of the Senate, who, in this instance, was Judge John J. Guion, a prominent lawyer of the western portion of the State. He filled the office of Governor from the 3d of February to the 3d of November, 1851, when he left the Executive to fill the position of Circuit Judge, to which he had been elected. For the first time in the history of the State an *interregnum* occurred in the office of Governor. On the 25th of November the vacancy was filled by the election of James Whitfield, acting President of the Senate.

5. The resignation of Judge Sharkey, and the appointment of Collin S. Tarpley to a seat on the Supreme Bench, occurred during the incumbency of Governor Whitfield. His right to make the appointment was questioned, in consequence of which Judge Tarpley resigned.

6. In the fall of 1851, the party in Mississippi opposed to the adoption of the "Compromise Measure" nominated General Quitman as their candidate for the office of Governor. A convention was soon afterward held by the more conservative members of the party, which declared unanimously for acquiescence to the measures of the bill introduced by Mr. Clay. Upon this declaration General Quitman withdrew from the canvass, believing that some one more in accord with the spirit of this convention should be chosen. Though Jefferson Davis, then representing Mississippi in Congress, had opposed the passage of Mr. Clay's bill, as "being at variance with the general purposes of the Union, and so destructive of the harmony and mutual benefit which the Constitution was intended to secure," he was nominated for the office of Governor by the same party which had proved too conservative for the fiery spirit of General Quitman.

7. Mr. Davis resigned his office to accept the nomination for Governor at the hands of the Democratic or "States' Rights" party only a few weeks previous to the general election. His opponent, the champion of the Whig party,

was Henry S. Foote, who in Congress had warmly espoused the principles of Mr. Clay's bill.

Jacob Thompson took an active part in this campaign, having been nominated for Congress on the ticket with Mr. Davis.

8. After a short but exciting contest, the Whigs succeeded in electing their entire ticket, the majority of Judge Foote over Mr. Davis being nine hundred and ninety-nine. John J. McRae was appointed by the Governor to fill the vacancy caused in Congress by the resignation of Mr. Davis, and at the next meeting of the Legislature, Stephen Adams was elected for the remainder of the term.

The vacancy caused by the resignation of Judge Foote was filled by the appointment of Walter Brooke. The Congressmen elected at this time were Benjamin D. Nabors, John A. Wilcox, J. D. Freeman, and Albert G. Brown.

9. The administration of Governor Foote proved entirely satisfactory to both political parties, his attitude toward the compromise question, and against the doctrine of secession, satisfying the peace-loving element of both parties. That the State was advancing rapidly in material prosperity no one could doubt. In 1852, the Mississippi & Tennessee Railroad, a short line from Memphis, Tennessee, to Grenada, Mississippi, was incorporated by the Legislature. The Mobile & New Orleans road, chartered the same year, would, it was hoped, in passing through our State, develop one of the finest tracts of country in the South.

10. Great inducements were offered to persons wishing to immigrate to the State at this period. An Act was passed in 1853 granting pre-emption to actual settlers on certain lands granted the State to aid in the construction of the Mobile & New Orleans Railroad.

11. In 1853, the Democratic party in Mississippi again came into power. John J. McRae was nominated for Governor, and in due time defeated his opponent of the Whig

party, Charles Fontaine. Governor McRae was of Scotch parentage, and belonged to a family possessing an unusual degree of intellect and ambition. Brought to Mississippi in his infancy, he was educated at an Ohio university, and returned home to study law under that eminent jurist, Judge Pray, of Pearlington.

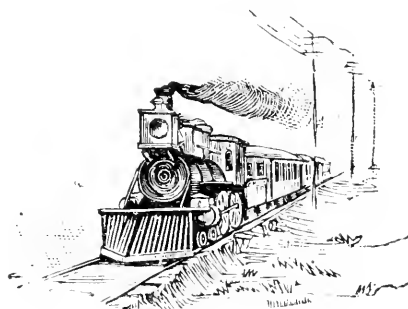
12. After receiving license to practice law, he removed to Paulding, Jasper county, Mississippi, and for a short time assumed control of the *Clarion*, which had been established there in 1837. Wishing to engage more actively in the material development of the State, he disposed of his paper, and founded the town of Enterprise, at the head of navigation on the Chickasawhaya river. He secured from the Legislature an appropriation of thirty thousand dollars for the improvement of that river, his steamboat, the *Triumph*, being the first vessel that ever plowed its waters.

13. Soon afterward, McRae entered politics, and was elected to represent Clarke county in the Lower House of the Legislature. He was made Speaker of the House, and soon became the most popular man in the State. He was elected to the State Senate from Clarke and Jasper counties, and was appointed by the Governor to fill the vacancy occurring upon the resignation of Mr. Davis. On the 18th of February, 1852, he resigned his seat in the United States Senate, and the vacancy was filled the same day by the election of Stephen R. Adams. In the election of 1853, McRae was swept into the Governor's seat by a very large majority.

14. The Congressmen-elect, at the time of Governor McRae's accession to office, were William Barksdale, Daniel B. Wright, W. S. Barry, O. R. Singleton, and Wiley P. Harris. Albert G. Brown was elected to the Senate of the United States, in 1853, for the long term.

QUESTIONS ON CHAPTER XXIII.

What connection did Governor Quitman, of Mississippi, hold with the expedition of Lopez against Cuba? What of his arrest by the President of the United States? Excitement consequent thereon? Resignation of the Governor? Result of his trial? Upon whom did the duties of Governor devolve after the resignation of Governor Quitman? How was the *interregnum* caused by the election of Guion to another office filled? Resignation of Judge Sharkey and the appointment of his successor? Nomination of Quitman for Governor? Division of sentiment on Compromise Measure and withdrawal of Quitman from the canvass? Nomination of Jefferson Davis for Governor? His opponent? Triumph of the Whigs and election of Foote? By what majority? Who was appointed to fill Mr. Davis' vacant seat in Congress? Mr. Foote's? Congressmen elected at this time? Administration of Governor Foote? Prosperity of the State? Railroad lines? Inducements to immigrants? Who was elected Governor to succeed Foote? By what party? Outline of McRae's life and character? Congressmen-elect at the time of McRae's accession to office?



CHAPTER XXIV.

1852-1856.

1. The chief subjects of discussion in Mississippi at this time were the various insidious attacks made by the people of the North upon the institutions of the South, and to such a height of popular excitement was the public mind raised that no politician stood the least chance for election who showed the slightest tendency to sympathize with the views of the Northern people. Gradually the conviction was fastening itself upon the minds of thoughtful men, that these controversies could only be settled by war. Candidates for public favor were driven along by the expressed will of the people, and all the messages and debates of the period were colored by the controverted subjects. The love of the Union, however, was still strong, and good men everywhere dreaded the issue. Among these statesmen was William Yerger, the great "Constitutional lawyer," who rendered himself famous by the delivery of his individual opinion in the celebrated case of "the State of Mississippi against Hezron A. Johnson," in 1853, an opinion contrary not only to the decisions of the highest legal authority, but, as he knew before the deliverance of his opinion, fatal to his own prospects of official advancement.

2. In 1851 the Whigs, under the aggressive leadership of Henry Stuart Foote, regained for a short time their lease of power, but as soon as the "Compromise Measure" ceased to be the leading issue, the Democratic or States' Rights party regained the ascendancy, and in the turmoil and strife of succeeding years the Whig party, whose past record was so glorious, gradually became absorbed into other organizations. The ablest of the Whig leaders opposed the doctrine of

secession or withdrawal from the Union to the last; Judge Sharkey, the most conspicuous figure among them, remaining firm in his devotion to the Union through all the perilous years of the Civil war. So pure was his character, however, and so lofty his devotion to principle, that he maintained the respect of all classes of people, and at the close of the terrible struggle between the North and South, was chosen by the people of his State to act as mediator between them and an offended Government.

3. Governor McRae was a strong advocate of the internal improvement of the State, but believed that it could be effected without the aid of the Federal Government. He was the decided opponent of a protective tariff, believing that duties should be laid on "strictly for revenue," making protection always the incident. As Mississippi was peculiarly an agricultural State, he believed that the best efforts of the State Government should be given to the encouragement and promotion of that branch of industry, and that the whole people should be encouraged to unite their efforts in the development of agricultural science, so important to the interests of a planting community.

4. On the 13th of January, 1854, the Legislature of Mississippi endorsed the administration of President Pierce in the following resolutions, adopted in the Senate:

Resolved, First: That we cordially approve of the administration of Franklin Pierce; that we recognize in him a firm upholder of the Union of States and a fearless defender of States' Rights, as expounded and defended by the Fathers of the Republic.

Resolved, Second: That the policy of the President, as exhibited in his message and executive appointments, in discountenancing all further slavery agitations, "in and out" of Congress, meets our hearty approbation, both on account of its consonance to his known antecedents and pledges before his election, and because we believe that the discussion of the exciting questions connected therewith is eminently dangerous to the institution itself and destructive to the best interests of the country.

Resolved, Third: That the appointment by the President of the

favorite son of Mississippi, Colonel Jefferson Davis, to a seat in the Cabinet, is just cause of rejoicing to the people of the State; that the President, in selecting him to preside over the War Department, while he exhibited an instance of practical devotion to the interests of the whole nation in the choice of one possessing such eminent abilities, at the same time manifested a becoming deference to the voice of the people of the whole South in making an integral portion of his administration that hero-statesman, who is no less distinguished for his chivalry on the field of battle, his wisdom in the Cabinet, and his eloquence in the Senate, than for his patriotic devotion to the interests of every part of our common country.

These resolutions are quoted as expressing the sentiments of a majority of the people of Mississippi during the decade that preceded the Civil war.

5. John J. Pettus, Secretary of State during the administration of Governor McRae, was one of the most pronounced States' Rights Democrats in the South. He was a statesman of great intellectual gifts and wielded great influence over the Democratic party. At the end of Governor McRae's first term his hold upon the affections of the people was so strong that he again received the nomination of his party for Governor. He was elected over his opponent, F. M. Rogers, the nominee of the Whig party. The members of Congress from the State at this time, 1855, were Daniel B. Wright, H. S. Bennett, William Barksdale, W. A. Lake, and ex-Governor John A. Quitman.

6. As an instance of the material progress made by the State under the supervising care of Governor McRae, we notice the great improvement made in the condition of the bottom lands under an efficient levee system. James L. Alcorn, a prominent planter of this section of the State, was made President of a "Superior Board of Levee Commissioners," by whose exertions the products and population of the bottom counties were largely increased. The "Chickasaw School Fund" was greatly benefited by the workings of the levee system. Previous to its organization

those lands which were intermixed with State lands were entirely without purchasers.

7. The legislation of this period was a great improvement on that of the past. The acts of the Legislature favoring agriculture and commerce were hailed with delight by the people of the State. The years 1855-6 saw the birth of a new but short-lived party in the United States. This was the American or "Know-Nothing" party, which drew much of its strength from the old Whig party. The platform of this party was opposition to the suffrage of foreigners until after a lengthy residence in the United States, and also to the election of Roman Catholics to office. This party gained but few recruits in Mississippi, though ex-Governor Foote, who had removed to California, identified himself with the Know-Nothing party in that State.

8. The Republican party in the United States had birth in 1856, its platform being open hostility to slavery. Its nominees for that year were John C. Fremont for President, and William L. Drayton for Vice-President. The National Democratic Convention adopted again the Compromise measures of 1850, approved of the territorial legislation of that year, and nominated for the presidential office James Buchanan, of Pennsylvania, and for Vice-President, John C. Breckinridge, of Kentucky. The election resulted in a complete victory for the Democratic party. That party now held all others in abeyance in Mississippi. In 1856, Hon. W. L. Sharkey, W. P. Harris, and Henry T. Ellett were appointed to revise the Code of Laws of the State. The work was performed in an able and skillful manner, was accepted by the Legislature at its next session, and is known as the Revised Code of 1857.

9. It was during these years that the struggle in Kansas, between the pro-slavery and anti-slavery parties, was going on. As Congress had passed a law that the people of Kansas were to decide whether or not the Territory should

have slavery, large numbers of settlers from both the Northern and Southern States emigrated to Kansas, and the "border warfare," a short but sanguinary struggle, began between the opponents and the advocates of slavery. This struggle brought into public notice a fanatical old man, an ardent advocate for the abolition of slavery, named John Brown, known in Kansas as "Ossawatimie." He attained great notoriety there by his connection with the many deeds of violence committed under the guise of the love of freedom. Encouraged by this ill-earned fame, he afterward planned what is known in history as "John Brown's Raid on Harper's Ferry."

QUESTIONS ON CHAPTER XXIV.

What were the chief subjects of discussion in Mississippi at this time? What conviction was fastening itself upon the minds of thoughtful people? Candidates for public favor? The case of William Yerger? In what year did the Whigs regain for a short while their lease of power? What party absorbed all others in the South? The Whig leaders? Judge Sharkey? Of what was Governor McRae a strong advocate? Give his opinions on other important questions. In what manner was Pierce's administration endorsed by the Legislature of Mississippi? Give an outline-sketch of John J. Pettus? How many terms did Governor McRae serve? His opponent during the canvass for the second term? Members of Congress from the State at this time? Material improvement of the State under Governor McRae? Who was placed at the head of a "Board of Levee Commissioners" formed for the improvement of the bottom lands? Improved legislation? Birth of the "Know-Nothing Party?" Platform of this party? Was it popular in Mississippi? When was the Republican party first organized? Its platform? Candidates? Platform and candidates of Democratic party? Result of election? Who were appointed to revise the Code of Laws in 1857? What of the struggle in Kansas? Career of "Ossawatimie Brown" in Kansas? John Brown's Raid on Harper's Ferry?

CHAPTER XXV.

1857-1858.

1. Near the close of Governor McRae's second term of office, the Democratic party nominated William McWillie for Governor, and L. Q. C. Lamar, Reuben Davis, William Barksdale, Otho R. Singleton, and John A. Quitman for Congress. The Whigs nominated E. M. Yerger for Governor. No man or party could, at this period, resist the impetus of the States' Rights doctrine, and the Democratic candidates were swept into office by a large majority.

2. Mississippi has, at no period in her history, been more ably represented in Congress than at this time. Her Senators, Albert G. Brown and Jefferson Davis, the latter having been elected March 4, 1857, were the acknowledged leaders and champions of Southern rights, and bravely resisted the attacks of the fanatical anti-slavery men upon the institutions of the South.

3. When Congress met in December, 1857, it was apparent that slavery was to be the great issue of the session. The agitation of the Kansas Bill was at its height, and the strength of the opposing sides in both Houses of Congress was brought to bear upon this question. Robert J. Walker, who, after filling the office of Senator from Mississippi with distinction, had been promoted to the head of the Treasury Department under President Polk, was now filling the office of Governor of Kansas, by the appointment of President Buchanan, though the hope of the administration that his counsels and influence would allay sectional hostility proved futile.

4. Senator Brown, who, during the period of his service in Congress, had engaged in the consideration of many

subjects of importance to the Union, was a fluent and fearless speaker, distinguished for the fullness and accuracy of his knowledge, the vigor of his logic, and the fairness of his reasoning.

5. The following picture of Senator Davis, drawn by a contemporary "Black Republican," gives some idea of the



JEFFERSON DAVIS.

opinion entertained of the gallant defender of "Southern Rights" by his political enemies:

"Davis, in listening to an anti-slavery speech in the Senate, sits erect and composed, impressing the spectator who observed his easy but authoritative bearing, with the notion of some slight superiority, some hardly-acknowledged leadership. In face and form he represents the Norman type with singular fidelity. He is tall and sinewy, with fair hair, gray eyes, which are clear rather than bright, high forehead, straight nose, thin, compressed lips, and pointed chin. His cheeks are

hollow, and the vicinity of his mouth is deeply furrowed with intersecting lines. Leanness of face, length and sharpness of features, and length of limb and intensity of expression, rendered acute by angular facial outline, are the general characteristics of his appearance. Davis' voice is what the opera people call a barytone. It serves well for the purpose of public speaking, for, though monotonous, it is pleasing to the ear, and fills a large circle with the sonorous cadence. He is didactic, states rules and principles rather than facts and arguments. He gives the ultimate inference, but suppresses the mental process by which he discovered it. When he rises to any question, you may take it for granted that he is master of the subject. The faculty of generalization would seem to be the dominant one of his mind. He sometimes affects the pathetic, but with doubtful results, and he shuns the realms of the imagination. Even in his speeches you can not fail to recognize the evidence of great administrative capacity. He is equally well qualified for shining in council and controversy."

6. L. Q. C. Lamar, Representative from the First District, delivered his maiden speech in the House, on the Kansas question, January 13, 1858. He stated, in the beginning, that with him the promotion of Southern interests was secondary only to the preservation of Southern honor, and that the time had come when the South must put a stop to Northern aggressions, regardless of all risks or consequences. His eloquence and manliness, as shown by the entire speech, elicited the highest encomiums from both press and people, and placed the young orator at once in the front rank of Southern speakers. Mr. Lamar had removed from Georgia to Mississippi in early life, had been elected on account of his scholarly attainments to a professorship in the University of Mississippi, and was now, at the opening of his political career, beginning to show forth those qualifications of mind and heart that, for nearly half a century, were to keep him in the front ranks of the political arena. In the course of this protracted debate on the Kansas-Nebraska question, Barksdale, Singleton, and Davis, all of Mississippi, delivered masterly and effective speeches.

7. General Quitman, whose moral heroism was equal to his courage on the field of battle, alone of all the Mississippi delegation, took the opposite side of this question. Differing from the majority of his Southern friends, and following the suggestions of his conscience, General Quitman voted against them. All accorded him that right, and not one of them reproached him for the act.

8. In March, 1857, Jacob Thompson was appointed Secretary of the Interior under President Buchanan. Thus another name was added to the long list of eminent statesmen from Mississippi who had rendered themselves illustrious by their services at the National Capital. An Act was passed this year to aid in the construction of the New Orleans, Jackson & Great Northern Railroad, of which Governor McWillie was one of the Directors. On the 31st of March, 1858, the railroad was finished, forming the connecting link between New Orleans, the great emporium of the South, and the new and flourishing capital of Mississippi. On the arrival at the depot in Jackson of the first train that passed over the road, bells were rung, cannon fired, and all the manifestations of a grand jubilee made.

9. A loan of the Chickasaw School Fund was made in the year 1858, to the four leading railroad companies whose lines traversed portions of the State, the New Orleans, Jackson & Great Northern, the Mobile & Ohio, the Mississippi Central, and the Mississippi & Tennessee, each company receiving an equal share of the loan.

10. Governor McRae retired from office at the close of his second term, carrying with him the respect and good-will of the people of the State. Governor McWillie was inaugurated under very favorable circumstances. William McWillie was born in South Carolina, November 17, 1795, migrated to Mississippi in 1845, was elected Governor of the State in November, 1857, and was inaugurated January, 1858, being the fifteenth Chief Magistrate of the Commonwealth.

11. The first message of the new Governor related almost entirely to the great material wants of the State, railroads and levees. "The world once looked to the Nile for bread; in all time to come it will have to look to the Mississippi valley for cotton," said Governor McWillie.

12. The University of Mississippi was reported at this time to be in a highly prosperous condition. It was easily accessible to every portion of the State, and liberal appropriations had furnished it with all the appliances requisite for imparting an advanced and liberal education. This grand institution has ever been the pride and boast of Mississippians. From its walls have issued the noblest specimens of Southern chivalry and manhood, those who were able in times of peace the "applause of listening Senates to command," and in time of a nation's peril equally able to vanquish the armed hosts who dared to invade their native land.

QUESTIONS ON CHAPTER XXV.

Whom did the Democratic party nominate to succeed Governor McRae? Who were the nominees of that party for Congress? What question at this time dominated all others? Who represented Mississippi in the National Senate? Of what were they the acknowledged champions? The great issue in Congress that session? The Kansas Bill? What offices did Robt. J. Walker fill after having served Mississippi in the Senate of the United States? For what was Senator Albert G. Brown distinguished? Give an outline-sketch of Senator Davis as drawn by a "Black Republican." When did L. Q. C. Lamar make his first speech in the National House of Representatives? His eloquence and manliness as shown by his speech? Early history of Senator Lamar? Attitude of Barksdale, Singleton, and Davis on the Kansas-Nebraska question? Of General Quitman? When was Jacob Thompson appointed Secretary of the Interior? What of the New Orleans, Jackson & Great Northern Railroad? Loan of the Chickasaw School Fund? Close of Governor McRae's second term? Inauguration of his successor? Sketch of William McWillie? The first message of the new Governor? Report of the University of Mississippi? Character of the students issuing from this institution?

CHAPTER XXVI.

1859-1860.

1. In 1858, while still a member of Congress, General J. A. Quitman died. His loss was deplored by the people of the State, who looked upon him as both hero and statesman. Ex-Governor John J. McRae was chosen to succeed him in office.

2. On the 11th of October, 1858, Jefferson Davis delivered his celebrated speech before the Democracy of Boston, Massachusetts. In this address, which was the subject of much criticism throughout the United States, Mr. Davis re-affirmed the doctrine that Congress had no power over slavery in the territories beyond that of protecting it, as it was taken there by the Constitution, and the people preserved the right of determining the character of their institutions for themselves.

3. The majority of the Northern papers raised a loud clamor against Mr. Davis when this address was published, and he was also condemned by a portion of the Southern press, but the young and vigorous States' Rights party, through both press and people, hailed the utterance of these sentiments in the stronghold of abolitionism, with enthusiasm and delight.

4. During the latter portion of Governor McWillie's term, his popularity was much impaired by his free use of the pardoning power. Being a man of unusual susceptibility of feeling and goodness of heart, his sympathies were easily enlisted in behalf of criminals who had been condemned to undergo a rigorous punishment, and in pardoning them it was thought the ends of justice were sometimes defeated. Alluding to the fact that he had brought censure upon him-

self by thus endeavoring to temper justice with mercy, Governor McWillie said in one of his messages: "I would assuredly rather be censured for being too merciful, than to be praised for over-severity or cruelty."

5. The condition of the country had by this time become so precarious that the Governor, in his annual message, called the attention of the people to the attitude assumed by the Federal Government toward the Southern States. "If I could," said he, "consistently with my duty avoid this question, I would most assuredly do so, for in magnitude and importance it swallows up all others. I approach it with a deep sense of the responsibility of my position and the mighty issues involved. I can truly say for myself that if I have one object of earthly idolatry, it is to be found in my devotion to the Union."

6. The agitation of the slavery question, both in and out of Congress, continued. The raid on Harper's Ferry by John Brown and his men in the fall of 1859, did more to exasperate the Southern people than all the legislation Congress had yet been able to effect. In reference to this atrocious outrage, Governor McWillie, in his last message to the Legislature, said: "I would urge upon you the propriety of providing for the arming of the State militia, particularly the volunteer companies. The mouth of the cannon and the glitter of steel are much stronger arguments of power than those of the brain. The outbreak at Harper's Ferry might just as easily have happened in Mississippi as in Virginia." These were the sentiments of a man noted for his pacific disposition, and indicated the state of the country that was ripening for civil war.

7. The Democratic Convention of 1859 nominated for the executive office the Hon. John J. Pettus, the noted "war Governor." The nominees for Congress were those who had served the preceding term, with the exception of the representative from the Fifth District; General Quitman hav-

ing died during his term of office, John J. McRae was elected to fill his place. The entire ticket was, of course, elected, the Whig party making little or no opposition.

8. Governor Pettus was one of the ablest of the Southern Rights leaders and the open advocate of secession. His inaugural address presented briefly the principles and policy which were to govern his administration. Education, agriculture and the internal improvement of the State were leading topics. He predicted with remarkable accuracy the consequences that would ensue should the Republican party gain the ascendancy in the government of the United States.

9. He advised the Southern States to unite uncompromisingly against the doctrines of abolitionism and the aggressions of the Northern States, resisting by force of arms, if necessary, any encroachment upon their rights. Governor Pettus recommended to the Legislature the levying of a special tax on all goods, wares, and merchandise offered for sale in the State, that were manufactured elsewhere. Foreseeing that the State would soon be thrown upon her own resources by the exigencies of war, he wished in this way to compel the people to adopt measures that would render them self-supporting.

10. In April, 1860, the National Democratic Convention met at Charleston, South Carolina, for the purpose of nominating a candidate for the presidency, and otherwise providing for a campaign against the Republican party, which had now grown to formidable proportions. This convention was composed of delegates from all the Southern States and many of the Northern States. The Mississippi delegation was composed of some of the ablest men in the State.

11. Unfortunately, this convention was characterized by the same division of sentiment that prevailed elsewhere among members of the different sections. The Northern delegates having a majority, passed resolutions, which,

being obnoxious to the Southern members, were resented with indignation.

12. These unhappy dissensions at last culminated in the withdrawal of the delegates from several Southern States. Under the leadership of William L. Yancey, of Alabama, these delegates, after their withdrawal, called a convention to be held the following June, in Richmond, Virginia. The remaining members of the Charleston convention adjourned without making any nominations, to meet in Baltimore, Maryland, June, 1860.

QUESTIONS ON CHAPTER XXVI.

What of the death of General John A. Quitman? Who was elected to succeed him? When was the celebrated speech of Mr. Davis delivered at Faneuil Hall, Boston? Comments of Northern press? How was Governor McWillie's popularity impaired during his second term of office? His defense of himself? To what did the Governor's annual message call the attention of the people? In view of the outrage at Harper's Ferry, what did Governor McWillie urge upon the Legislature of that State? Who was the Democratic nominee for Governor in 1859? The nominees for Congress? Was the entire ticket elected? Who succeeded John A. Quitman? Governor Pettus as a popular leader? His inaugural address? Recommendation to the Legislature? What of the celebrated "Charleston Convention" in 1860? Division of sentiment among its members? Withdrawal of Southern delegates? Adjournment of Convention?

CHAPTER XXVII.

1860.

1. The action of the Charleston Convention created intense excitement all over the South. The feeling became very general that a dissolution of the Union was imminent, and, to prevent this, if possible, a new party was organized under the name of the "Constitutional Union" party. At a convention held in Baltimore, June, 1860, this party, which was composed mainly of remnants of the old Whig party, nominated John Bell, of Tennessee, for President, and Edward Everett, of Massachusetts, for Vice-President.

2. No platform was adopted by this party, except what its name indicated, its mission, confessedly, being to conciliate both sections of the country, and avert the threatened dissolution. This young and vigorous party obtained many recruits from the ranks of the older organizations, especially in the South. Many of the most influential members of the old Whig party—now extinct—identified themselves with the Union party, counseled against rashness, and pleaded for the preservation of the Union, for which their forefathers had bled and died.

3. The Richmond Convention met only to adjourn until after the Baltimore Convention. That convention split into two distinct bodies, and each one put forth a Presidential ticket, an error fatal to the prospects of the South. One wing of the party nominated John C. Breckinridge for President, and Joseph Lane for Vice-President, while the other nominated Stephen A. Douglass for President, and Herschel V. Johnson, of Georgia, for Vice-President. The Republican party, hitherto insignificant, met at Chicago

and nominated Abraham Lincoln for President, with Hannibal Hamlin for Vice-President.

In consequence of the division in the ranks of the opposition, the Republican ticket was elected by immense majorities, the party springing from infancy to full life at a single bound. When the results of the election were ascertained, the feeling became general that war—civil war—was inevitable.

4. The annual message of Governor Pettus, issued soon after the Presidential election, failed to congratulate the country upon its prospects for prosperity and happiness. In his usual strong and convincing style, the Governor enumerated the grievances the South had been made to endure, and counseled a separation—peaceable, if possible—between the Northern and Southern States. “Can the lives, liberty, and prosperity of the people of the South,” said he, “be entrusted to the keeping of that sectional majority which must hereafter administer the Federal Government?”

On the 29th of November, 1860, Mississippi called for a convention to be held on the 20th of December following. Delegates to that convention were elected by the different counties to a State Convention, to be held at Jackson, on the 7th of January, 1861, for the purpose of considering the existing relations between the State and Federal Governments.

5. On the 29th of December, 1860, South Carolina passed an ordinance of secession, dissolving her relations with the Federal Government, declaring that Congress had violated the Constitution, and that the principles of the Republican party were antagonistic to her rights as a sovereign State. Commissioners were sent to Washington to adjust, if possible, the new relations between the two Governments.

6. On the 7th of January, 1861, the memorable Secession

Convention met in Jackson, and elected as President, William S. Barry, of Lowndes. A resolution was offered, by L. Q. C. Lamar, that a committee of fifteen be appointed to prepare and report, as soon as possible, an ordinance for the withdrawal of the State from the Union, with a view to the establishment of a new Confederacy, to be composed of the seceding States.

7. The majority of the delegates to this convention were in favor of the resolution, though a respectable minority urged against precipitate action on the part of Mississippi, counseling forbearance and delay. James L. Alcorn, of Coahoma county, offered a modifying section to the ordinance of secession, but it was lost by a vote of seventy-four to twenty-five. Walter Brooke, of Warren county, also offered an amendment, submitting to the qualified electors of the State the ordinance for their ratification or rejection.

As will readily be seen, the delegates for and against secession were among the ablest men the State afforded, and they recognized fully the grave responsibilities resting upon them in this crisis in the history of their State.

8. On the 9th of January, 1861, the vote was taken, and it was found that a majority of the delegates—eighty-four to fifteen—were in favor of immediate secession. The ordinance of secession then passed, Mississippi being the second State to withdraw from the Union. The Constitution of 1832 was readopted by the Convention of 1861, with the addition of some important amendments.

9. The news of the passage of the ordinance of secession created intense excitement and enthusiasm throughout the State, tending to solidify public opinion; those who had doubted the propriety of the measure determining to abide by the expressed will of the majority.

Enthusiastic ratification meetings were held all over the State, and the action of the convention indorsed and applauded. Had the ordinance, according to Mr. Brooke's

resolution, been submitted to the vote of the people, the result would have been the same. The people were almost a unit in favor of secession. State and sectional pride swelled high, the people being convinced that if war ensued, it would be of short duration, directed against the might and power of a united South.

10. On the 14th of January, 1861, soon after receiving news of the secession of their State, the Senators and Representatives from Mississippi resigned their seats in the Congress of the United States and returned home, where they were received with an enthusiastic welcome. Jacob Thompson, Secretary of the Interior, resigned his seat in the Cabinet on the same day that Mississippi seceded from the Union.

QUESTIONS ON CHAPTER XXVII.

Effect of the action of the Charleston Convention on the South? Organization of a new party? Its nominees on the Presidential ticket? What was the mission of this party? Members of the old Whig party? The Richmond Convention? The Baltimore Convention? What two tickets were put forth by this body? Consequence of this division? Annual message of the Governor? Mississippi State Convention? When did South Carolina pass the Ordinance of Secession? Commissioners to Washington? Secession Convention in Jackson? Resolution offered by Mr. Lamar? The majority of the delegates to this Convention? Minority? Amendments? Vote on the Ordinance of Secession? When passed? What Constitution was readopted? How did the adoption of the Ordinance of Secession affect the masses of the people? Ratification meetings? When did the Senators and Representatives from Mississippi resign their seats in Congress? Jacob Thompson?

CHAPTER XXVIII.

1861.

1. The Secession Convention of Mississippi passed the following ordinance also: "The State of Mississippi hereby gives her consent to form a Federal Union with such of the States as may have seceded or may secede from the Union of the United States of America, upon the basis of the present Constitution of the United States."

2. In order to ascertain the real sentiments of the different slave-holding States, commissioners were sent to represent Mississippi before the Legislatures of the different Southern States. This commission represented the intellect and patriotism of the State, and was fruitful in securing prompt action on the part of the greater number of the States addressed. Hon. Henry Dickinson was sent as Commissioner to Delaware, A. H. Handy to Maryland, Walter Brooke and Fulton Anderson to Virginia, Jacob Thompson to North Carolina, G. S. Gaines to Florida, W. L. Harris and T. W. White to Georgia, W. S. Featherstone to Kentucky, Thomas J. Wharton to Tennessee, Joseph W. Matthews to Alabama, Daniel Russell to Missouri, General R. Fall to Arkansas, Wirt Adams to Louisiana, H. H. Miller to Texas, and Charles E. Hooker to South Carolina.

3. The States of Georgia, Florida, Louisiana and Alabama seceded from the Union in rapid succession, and a convention of seceded States was appointed for February 4, 1861, at Montgomery, Alabama. On the 15th of January, 1861, in response to a call from Governor Pettus, the Legislature of Mississippi met in extraordinary session, for the purpose of securing concert of action and effecting purposes of defense. The State was called upon and responded nobly.

The different counties at once began the formation of military organizations, and the State soon assumed the appearance of a vast military camp. Seven volunteer companies were sent from Mississippi to aid in taking possession of the forts and navy-yards at Pensacola by the States of Alabama and Florida.

4. The State of Mississippi made a large appropriation to assist in carrying on the war, and wealthy private citizens in various portions of the State extended valuable pecuniary aid in equipping volunteers for service. Ex-Governor Albert G. Brown was conspicuous for his generosity in behalf of the State, and Jefferson Davis and Jacob Thompson guaranteed the payment in May or June, 1861, of a large sum for the purchase of arms. The different railroads in the State tendered free transportation of troops and munitions of war whenever the State should require it. Governor Pettus recommended the placing of all volunteers on the same footing in regard to receiving pecuniary aid from the State, also the appropriation of a sufficient sum to each company to defray all necessary expenses.

5. Jefferson Davis was commissioned Major-General in the State army, and Earl Van Dorn, Charles Clarke, James L. Alcorn, and Christopher H. Mott, Brigadier-Generals. General Mott was afterward elected Colonel of the Nineteenth Mississippi Regiment, and his position as Brigadier-General being vacant, General A. M. West, of Holly Springs, was appointed to fill the place. Richard G. Hinds was made Adjutant-General. The States which had withdrawn from the Union met in convention on the 4th of February, 1861, in Montgomery, Alabama. Georgia, Florida, Alabama, Mississippi, Louisiana, and South Carolina were represented in this convention. Howell Cobb, of Georgia, was elected President of this distinguished body, whose deliberations were characterized by great harmony.

6. A new Government known as the "Confederate

States of America'' was organized, with Jefferson Davis, of Mississippi, at its head as President, and Alexander H. Stephens, of Georgia, as Vice-President. The inauguration of the officers of the Provisional Government took place on the 18th of February, 1861. The inauguration of Abraham Lincoln took place on the 4th of March, 1861.

7. Commissioners were at once appointed by President Davis to proceed to Washington City for the purpose of negotiating with the Government of the United States, and bringing about, if possible, a peaceable adjustment of all existing difficulties. This able commission, composed of Crawford, of Georgia, Forsyth, of Alabama, and Rowan, of Louisiana, found, after their arrival in Washington, that all efforts to bring about amicable relations between the two Governments would be unavailing. The officers of the United States Government refused to receive the Confederate Commissioners officially, and persistently ignored the Government which had delegated them.

8. After the election of Mr. Davis to the Presidency of the Confederate States, General Earl Van Dorn, a graduate of West Point, and an officer of distinction in the war with Mexico, was appointed Major-General of the State troops. Soon afterward, however, General Van Dorn, who had been a Major in the United States army and preferred the regular service, requested to be transferred to the Confederate army. He was commissioned Colonel in the regular service, and ordered to take possession of the forts and arsenals in Texas, together with the "Star of the West," a man-of-war lying off Galveston.

9. General Charles Clarke, of Bolivar county, was then promoted to the office of Major-General, and William Barksdale was commissioned Quartermaster-General on the same date. Like General Van Dorn, General Barksdale resigned his commission to join the Confederate service, and was made Colonel of the Thirteenth Mississippi Regiment.

At an early date in 1861, the Confederate Government had secured possession of all the forts and arsenals within their limits, except Fort Sumter, belonging to South Carolina, and several smaller forts along the coast. The taking of Fort Sumter by the Confederate Commander, General Beauregard, on the 13th of April, 1861, raised the courage and enthusiasm of the Southern people to the highest pitch.

10. Two days after the fall of Fort Sumter, President Lincoln called for seventy-five thousand troops for the defense of the Union. Delaware, Maryland, Virginia, North Carolina, Tennessee, Kentucky, Arkansas, and Missouri refused to send volunteers to fight against their brethren of the South, and Virginia, immediately after the call was made, withdrew from the Union. Arkansas, North Carolina, and Tennessee followed soon after, greatly encouraging and strengthening the Southern cause.

QUESTIONS ON CHAPTER XXVIII.

What ordinance did the Secession Convention of Mississippi pass relative to forming a Union with other seceding States? Commissioners sent from Mississippi to other slave-holding States? What other Southern States seceded in rapid succession? Why was an extra session of the Legislature called? What measures of defense were at once taken? Volunteer companies? Appropriations by the State and by private individuals? Railroads? Who received a commission of Major-General in the State's forces? Who were commissioned Brigadier-Generals? Convention of Southern delegates? Met when and where? What government was organized? President and Vice-President of the Southern Confederacy? Commissioners to Washington? How received? Who was made commander of the State troops in place of Jefferson Davis? Transfer of General Van Dorn to the Confederate Army? Who was made Major-General of State troops after Van Dorn's resignation? What of General William Barksdale's commission? What of the taking of Fort Sumter by the Confederates? What of President Lincoln's call for troops?

CHAPTER XXIX.

1861.

1. The seat of the Confederate Government was transferred, on the 21st of May, 1861, from Montgomery, Alabama, to Richmond, Virginia. The Confederate Congress, at its first meeting after its removal, called for volunteers, and passed an Act enlisting soldiers for the war. The South made an enthusiastic response to this call, Mississippi contributing the flower of her youth and manhood to swell the list of the Southern army. The volunteer companies, which had been organizing in every portion of the State, were anxious for active service, and eagerly pressed their claims to be allowed to advance "to the front."

2. In November, 1861, Mississippi had in the service of the Confederacy twenty-two regiments and one battalion of infantry, one regiment and fourteen companies of cavalry, and eleven companies of artillery, amounting in the aggregate to about twenty-three thousand. When the number of "independent companies" is estimated, it will be seen that the whole number somewhat exceeded twenty-four thousand. Thirty companies which had enlisted "for the war," were at that time encamped in the State, the whole force exceeding thirty-five thousand. "This force," said Governor Pettus, in his annual message, "is larger than any State or nation of modern times has sent to war."

3. On Sunday, July 21st, the great battle of Manassas, or Bull Run, was fought, resulting in a decisive victory for the Confederate troops. Generals Beauregard and J. E. Johnson commanded the Southern forces, and General McDowell the Northern, though many prominent officers were engaged on both sides. It was in this battle that Gen-

eral Thomas J. Jackson received the famous appellation, "Stonewall," caused from the remark of General Bee, of Georgia, who was rallying his men to a desperate charge: "Look at General Jackson! He is standing like a stone wall!"

4. A large number of arms, standards, and prisoners were captured in this battle, the result of which was to establish the Confederacy more strongly than ever in public confidence. The Confederates lost two thousand men, the Federals three thousand. Many Mississippi troops were engaged in this sanguinary battle, bearing themselves, while exposed to the deadliest fire of the enemy, with unflinching courage.

5. At the battle of Leesburg, Virginia, the gallant Colonel E. R. Burt, of Mississippi, fell, mortally wounded, while leading his regiment to a desperate charge. On the 20th of November, 1861, Governor Pettus received telegrams from Governor Harris and General Pillow, of Tennessee, informing him of a threatened attack on Columbus, Kentucky, and asking him for aid to assist in repelling the enemy. The request was at once responded to by Governor Pettus, re-enforcements of both men and arms being at once forwarded.

6. The general election in Mississippi was now at hand, and the administration of Governor Pettus was endorsed by his renomination for the office. His firm, strong rule and his evident regard for the interests of all the people made him very popular, and he was re-elected by a large majority.

Mississippi elected seven members to the first Confederate Congress. They were J. W. Clapp, Reuben Davis, Israel Welsh, H. C. Chambers, O. R. Singleton, Ethelbert Barksdale, and John J. McRae.

7. In his message of December 14, 1861, Governor Pettus advised the people against the accumulation of two crops of cotton, and the non-production of breadstuffs. The North had closed the markets of the South by her blockading

squadrons, and the great agricultural staple of the country was lying useless on the lands where it was produced. To secure the State against the dangers of a possible famine, Governor Pettus recommended the planting of grains, fruits, and such other productions as could be relied on in a time of need.

8. Forced to rely upon themselves, the people of Mississippi, notably the women, children, and aged or decrepit men, put forth almost superhuman efforts to sustain themselves and the gallant defenders who were fighting so nobly "at the front" for home and country. First, the luxuries of life were abandoned one by one, and the struggle for the bare necessities of existence began. Had not our generous soil responded so freely to the efforts that were made for its cultivation, a still darker page might have been added to the volume in which our woes are written. No Spartan mother ever buckled sword and shield upon her son with more willing heart than the Southern mothers of 1861-5 sent forth their sons to victory or defeat. In this connection should also be mentioned the fidelity with which the negro slaves of the South served their absent masters during the dark days of the Civil war. Left, in many instances, with the entire control of large plantations, and with the care of helpless women and children devolving entirely upon them, they nobly discharged the trusts committed to their care, and for four long and dreary years stood like a black wall of defense around the families of those who "wore the grey." All honor to the memory of the slaves of the olden times!

9. The Trustees of the University of Mississippi made their annual report in November of this year. This report showed that the spirit of patriotism had pervaded the entire institution, and to such an extent that nearly all the students had volunteered their services to the State. As early as January, 1861, when the prospect of hostilities was as yet remote, a military company, the "University Greys," had

been organized among the students, had tendered their services to, and been accepted by, the Governor of Mississippi. The regular exercises of the University, however, were carried on, uninterrupted by the drill, which took place during the intermission of class hours. During that exciting period, when stirring events followed each other in rapid succession, when the martial blood of the South was stirred to fever heat, the lectures and recitations proceeded, but their spirit was gone, and study, for the time, lost its power.

10. "One student after another," says the chronicler of the report of those exciting days, "dropped away and enrolled himself among those about to march from his own neighborhood. In their turn, the 'University Greys' became entitled to marching orders, and on the first day of May, 1861, took up their line of march for Virginia, bearing a conspicuous part in the battle of Manassas, where they covered themselves with immortal glory. The graduating class requested that their time of examination be anticipated by several months. The loss of these two bodies of young men reduced their number to a mere handful, and these, within the next few days, followed their companions. The dissolution of the University was, therefore, rather spontaneous. The Faculty, after the summer vacation was over, resumed operations, but only four students presented themselves. The Faculty, therefore, resigned."

11. In the conclusion of this report the Board of Trustees stated that as soon as possible they wished to reorganize, but this wish was destined to remain unfulfilled as long as the war lasted. The names of this Board of Trustees are nearly all historical, as the following list will show: Ex-Governor John J. McRae, Jacob Thompson, G. H. Long, J. W. Clapp, T. E. B. Pegues, James M. Howry, John J. Pettus, Wm. L. Sharkey, C. P. Smith, A. M. Clayton, and James Brain.

QUESTIONS ON CHAPTER XXIX.

Where was the seat of the Confederate Government transferred from Montgomery? Call for volunteers? Response? Give an estimate of the forces sent to the field by Mississippi in 1861. When was the first battle of Manassas fought? Commanders of the Southern forces? Incident which gave "Stonewall Jackson" his title? What were captured in this battle? Mississippi troops? Battle of Leesburg, Virginia? Death of Colonel Burt? General elections in Mississippi? Re-election of Governor Pettus? Confederate Congressmen from Mississippi? How were the markets of the South closed against the world? What was recommended as a security against possible famine in Mississippi? When forced to rely upon themselves, what efforts did the people of the State put forth? What were abandoned one by one? What do we owe to our generous soil? Fidelity of the negro slaves? Should it not be always remembered? Annual report of the University of Mississippi? The "University Greys?" In what battle were they conspicuous for gallantry? The graduating class of 1861? Temporary suspension of University exercises? Board of Trustees of that period?



CHAPTER XXX.

1862.

1. The close of 1861 found the Confederacy strong in faith and hope, confident of ultimate victory. General George B. McClellan, a very able military leader, was placed in command of the Northern army of the Potomac after the battle of Manassas, and, with his army of one hundred and fifty thousand men, stood fronting the Confederates, one hundred thousand strong.

2. The troops of no State exhibited a loftier patriotism or displayed more splendid gallantry on the field than did those of Mississippi. All occupations and professions, all grades of society laid aside private interests for the public welfare, and mustering from every city, hamlet and community, offered their lives and property in defense of their country's rights. Even the negroes, though conscious that the triumph of the South meant perpetual bondage to them, showed a devotion to the interests of their masters that stands unparalled in the history of races.

3. In the autumn of 1861, Van Dorn, who, after his transfer to the West, was promoted to the rank of Brigadier-General, was ordered to report to General Beauregard, in Virginia. In February, 1862, he was ordered to take command of the trans-Mississippi department, and on the 7th and 8th of March following fought the battle of Pea Ridge, in which the enemy was driven from the field of battle, with a loss in killed and wounded of over two thousand, and two hundred prisoners. Soon after the battle of Pea Ridge, General Beauregard, who at this time was concentrating his forces at Corinth, Mississippi, called for the assistance of General Van Dorn, who was then transferred to Mississippi,

where he encountered and defeated General Pope, of the Federal Army.

Ex-Senator L. Q. C. Lamar, who had resigned his seat in Congress to take his place in the Secession Convention of Mississippi, entered the Confederate service as Lieutenant-Colonel of the Nineteenth Regiment of Mississippi Volunteers, and was soon promoted to be its Colonel.

4. The first great reverses to the Confederate side during the war were the capture of Forts Henry and Donelson, on the Tennessee river, by the Federals, under General U. S. Grant, who was then just coming into notice as a great military leader. Fort Henry was taken on the 6th of February, 1862, and on the 13th of the same month, the combined land and river forces of the enemy appeared before Fort Donelson, which was commanded by Brigadier-General John B. Floyd, formerly Secretary of War under President Buchanan. He was assisted by Generals Pillow and Buckner, of the Confederate service. The brave cavalryman, General Bedford Forrest, whose command was composed chiefly of Tennesseans and Mississippians, was also engaged in this battle. There were present six regiments of Mississippi troops, who fought with characteristic valor.

5. The first day's battle resulted favorably to the Confederates, the enemy being repeatedly repulsed with heavy loss. The entire Confederate force amounted to only eighteen thousand, and as the resources of the enemy were unlimited, the fort, after a stubborn resistance of repeated attacks by land and water, was compelled to surrender. The fort was surrendered on the 15th of February, 1862, after heavy losses on both sides. General N. B. Forrest refused to be included in the surrender, but cut his way out at the head of his command and joined General Johnston at Nashville.

6. General Johnston evacuated Nashville in February, 1862, and made a junction with Beauregard at Corinth, a

place on the line of the Memphis & Charleston Railroad, in the north-eastern portion of Mississippi. Their combined forces amounted to about fifty thousand men.

It became evident, after the battle of Fort Donelson, that Grant was feeling for the heart of the Confederacy. On the 10th of March, 1862, with a formidable fleet of gunboats, accompanied by transports carrying troops, he began the ascent of the Tennessee and reached Pittsburg Landing, in the vicinity of Corinth, on the 18th of the same month. On the 6th of April, Johnston attacked Grant, hoping to accomplish his defeat before the arrival of Buell, who was known to be marching by rapid stages from Nashville with heavy re-enforcements.

7. The battle raged furiously throughout the entire day, Johnston and Beauregard driving the enemy to the shelter of his gunboats, capturing his encampment, and gaining possession of vast quantities of military stores, arms, ammunition, etc. Just at the moment when victory to the Confederates seemed assured, General Albert Sidney Johnston was killed. This sad event, it is believed, changed entirely the issue of the battle of Shiloh, and, as some contend, decided adversely the fate of the Southern Confederacy. In the confusion incident to the death of the commanding general, and the assumption of his place by General Beauregard, the plan of battle was changed. Buell's re-enforcements arrived, and Grant had time to reorganize his scattered and defeated forces. Night closed the day which had witnessed the most terrific battle of the war, and the Southern forces rested upon their arms, confident of victory on the morrow.

8. The combined armies of Grant and Buell amounted to nearly eighty thousand men, nearly twice as many as the Confederates numbered. Early on the morning of the 7th, the battle was resumed, the enemy advancing to the attack in such overwhelming numbers that the Confederates, after fighting with their usual bravery, were compelled to retreat.

9. The Confederate loss in this battle amounted to seventeen hundred and twenty-eight killed, and eight thousand wounded ; the killed, wounded and missing of Grant's army numbering about eleven thousand two hundred. Many Mississippi troops were engaged in this battle. They fought as brave men always fight in defense of their own soil, and their losses in dead and wounded were appalling. Many promotions were made after this battle for acts of personal bravery. General Beauregard's force amounted to less than fifty thousand men, and without risking a battle he concluded to evacuate Corinth, retreating to Tupelo on the 29th of May. On the 30th, Corinth was invested by the Federals, under Halleck, Pope, and Sherman. General Beauregard soon afterward resigned his command, which was transferred to General Bragg.

10. On the 12th of May, Natchez, which had been occupied by a small Confederate force, surrendered to the Federals, who, however, soon abandoned it. General Van Dorn, who, previous to the battle of Shiloh, had been in command of the Army of the West, was in May, 1862, transferred to Mississippi and assigned to the defense of Vicksburg. Soon after, two fleets of Federal gunboats, one from above and one from below, met at Vicksburg, which had been strongly fortified, and commenced bombarding the town. This was kept up for some time, but without definite results. The place was defended by quite a large force of Confederate troops. On the 4th of July, 1862, the Federal officers commanding the fleets made a concerted attack upon the fortifications, bombarding them heavily for about two hours. The attack was repulsed without serious loss to either side.

11. About this time the ram "Arkansas," under command of Captain I. N. Brown, produced great consternation in the Federal fleet above Vicksburg. Entering the Mississippi from the Yazoo, Captain Brown proceeded into the midst of

the enemy's fleet and succeeded in dispersing it, disabling one of the largest vessels and striking terror to the hearts of the crews of the remainder. Captain Brown had formerly belonged to the United States navy, and his great knowledge of nautical affairs, together with his skill and bravery as a commander, enabled him to render efficient service to the Confederate Government. On July 22, 1862, the Federals abandoned the siege of Vicksburg entirely.

12. Early in September, 1862, General Price, with a large force of Confederate troops, occupied Iuka. On the 19th of September, the Federal forces, under Generals Rosecrans and Ord, advanced to capture the town, and a severe and bloody fight ensued. Both sides lost heavily in killed and wounded. During the following night the Confederates evacuated the town.

QUESTIONS ON CHAPTER XXX.

How did the close of the year 1861 find the Southern Confederacy? Who was placed in command of the Northern army on the Potomac? Gallantry and patriotism of Mississippi troops? Of all ranks of the people? General Van Dorn? Battle of Pea Ridge? Colonel Lamar? First great reverses to the Confederate army? Who was just coming into notice as a great military leader? When was Fort Henry taken? Tell of the capture of Fort Donelson. Difference in numbers of the opposing forces? Action of General Forrest and his men? What of the union of the forces of Johnston and Beauregard? Number when combined? Grant's aim after the battle of Fort Donelson? When did he reach Pittsburg Landing? Johnston's attack on Grant? Battle of Shiloh? Death of Albert Sidney Johnston? Change of commanders and consequent change of action? Arrival of Buell? What were the combined numbers of Grant and Buell? Their advance to the attack and retreat of Confederate forces? Confederate losses in this battle? Gallantry of Mississippi troops? Losses and promotions? Evacuation of Corinth by General Beauregard and its investment by Federals? Resignation of Beauregard? Surrender of Natchez to the Federals? Who was assigned to the defense of Vicksburg? Bombardment of Vicksburg by the Federals? Their repulse? What of the ram "Arkansas" and its commander? Battle of Iuka?

CHAPTER XXXI.

1. Soon after taking command of the army in Mississippi, General Bragg left Tupelo and advanced to Chattanooga, Tennessee. General Rosecrans had command of the Federal forces in North Mississippi and West Tennessee, and Generals Van Dorn and Price of the Confederates. After its occupation by Rosecrans, Corinth had been very strongly fortified, and was one of the main positions of the enemy in that section of the country. The importance of capturing this stronghold was apparent, and on the 3d of October, 1862, the combined forces of Van Dorn and Price attacked Corinth, hoping to surprise and capture it before the Federal commander could be re-enforced from other points. They were repulsed with great loss, two thousand men, in killed and wounded, being left in the hands of the enemy.

2. Van Dorn retreated to Ripley, and there made a stand against the enemy. On the 15th of December he attacked Holly Springs with a force of two thousand men, capturing the garrison and destroying Grant's supply depot, containing three months' stores for sixty thousand men. Grant's preparations for a move against Vicksburg from this point were checked by this bold stroke; he was forced to abandon the campaign and make a hasty retreat. Van Dorn's reputation as a brilliant cavalry leader, which had suffered somewhat by his unsuccessful attack upon Corinth, was re-established by his victory at Holly Springs and his subsequent operations against the enemy.

3. The suffering this year, occasioned by the war, was not confined to the soldiers in the field. When the Legislature of Mississippi met in December, 1862, Governor Pettus called attention to the claims which the families of soldiers

held upon the State. Some of them, owing to a severe drought the past season, which had extended over a large portion of the State, were in need of the necessities of life, and he recommended that the most liberal provisions be made by the Legislature for their relief. The most pressing want of the people at that time was a supply of salt, the rigorous blockade of the North having stopped its importation into the State from the usual sources. The Governor sent agents to Virginia, Alabama, and Louisiana, hoping, if possible, to secure a supply of salt for the people of Mississippi, either by purchase or mining. In one instance only, that of the agent sent to New Iberia, Louisiana, did this mission prove a success.

4. So great was the scarcity of salt in Mississippi at this period that, in some instances, people were driven to the necessity of digging up the dirt floors of their smoke-houses and extracting therefrom the salt which had accumulated for years from the drippings of meat during the process of its transformation into bacon. Coffee, after the first year of the war, was an unknown article in Mississippi, and many and amusing were the devices which were practiced by careful housewives in providing a substitute for the gentle stimulant. Wheat, oats, rye, Indian corn, sweet and Irish potatoes, all dried thoroughly and parched after the manner of coffee, first served their day; while later, okra, burnt molasses and other articles seemingly as incongruous, were cheerfully used by rich and poor alike. No sacrifice that could be made for the beloved "Confederacy" was too great for the women of Mississippi. The clothing worn by themselves and families at home, as well as that of the soldiers in the army, was spun and woven from the raw cotton raised on the farm, and while no factory smoke ascended from the Southern plains to compete with the manufacturing interests of the world, from many an humble cot and many a lordly mansion was heard the whir of the spinning-wheel

and the clatter of the shuttle, as the garments of grey were lovingly fashioned.

5. A considerable quantity of salt, stored by the State government at Vicksburg, was distributed to the destitute families of soldiers, and transportation furnished for this and other necessary supplies. That venerable statesman, George Poindexter, was a member of the Legislature which adopted these patriotic measures. A State armory was in operation at Brandon at this time, which, with the limited means then in our possession for constructing and repairing arms, was rendering the State efficient service.

6. Mississippi had, at this period, forty-six regiments of infantry in the Confederate service, besides the cavalry and artillery and the unattached battalions and companies which were organized by, and reported directly to, the Confederate authorities at Richmond, leaving no record of their existence or strength with the State government. During the fall and winter of 1862, large quantities of cotton were burned in Mississippi, by order of the military authorities of the Confederacy, to prevent its falling into the hands of the enemy.

On the 1st of January, 1863, President Lincoln issued his celebrated "Emancipation Proclamation," liberating all the slaves in the Southern States, though it had no practical effect whatever for the time, the negroes remaining contentedly with their masters until after the surrender at Appomattox. Many feared, when this proclamation was issued, that the horrors of insurrection might be added to the already existing troubles, but in no instance was this so, and no portion of the population of Mississippi was more peaceable and law-abiding than the negroes, who formed such a large majority of the inhabitants of the State.

7. On the 24th of January, 1863, a fleet bearing the combined forces of Grant and Sherman appeared before Vicksburg. In December previous, Sherman had tried to reach the city by the line of the Yazoo, "River of Death," but

had failed disastrously. General Pemberton was at this time in command of the department of Mississippi, Van Dorn having been transferred with his cavalry to Tennessee. Grant's first attempt to take Vicksburg was by means of a canal cut across the peninsula opposite to Vicksburg, hoping by this means to get a channel for his vessels to pass the city. This attempt was foiled by the nature of the soil, the channel refilling with dirt and sand as fast as it was dug out. Early in April work on the canal was stopped, and a new plan adopted. On the night of the 16th of April a fleet of Federal gunboats succeeded in passing the Confederate batteries, and united with the land forces thirty miles below the city. In the passage of the Confederate batteries, several of the enemy's vessels were sunk or destroyed.

8. On the 29th of April the enemy's fleet, under Admiral Porter, made an attack upon Grand Gulf, but, finding the place too strong for them, retired. The fleet, with transports containing troops, succeeded, however, in passing the Confederate batteries, Grant landing his army on the Louisiana side and ferrying them across to the Mississippi at a point just below the mouth of Bayou Pierre. As fast as they were landed they were moved out toward Port Gibson. On the 1st of May their advance was checked at Bayou Pierre by General Bowen, a Confederate commander, whose force of little more than five thousand men engaged about twenty thousand of the enemy.

9. Although the Confederates fought gallantly, the superior numbers of the enemy told against them, and they were compelled to retire to Grand Gulf, Port Gibson falling into the hands of the enemy, who took possession on the 2d of May. Grand Gulf was evacuated by the Confederates on the same day, General Bowen marching to Hankinson's Ferry, on the Big Black, where he was joined by Loring's division, sent from Jackson by General Pemberton, whose headquarters were at Edward's Depot. Grant now com-

menced his march through the country toward Vicksburg, his army having been re-enforced by the forces under Sherman. For several days the Federals were occupied in getting in position on the Vicksburg & Jackson Railroad, so as to strike Vicksburg from the rear. On the 12th, the Fifteenth and Seventeenth corps of Sherman's command, while marching on Jackson, encountered a single brigade of Confederates, under General Gregg, at Raymond, a small town in Mississippi near the capital. After a gallant resistance, the Confederates were forced to retreat.

10. On the 13th of May, General Joseph E. Johnston arrived at Jackson and assumed command. The enemy by this time was moving rapidly upon Jackson, having cut off communication between that place and Pemberton's army. General Johnston evacuated Jackson on the 14th, having no adequate force for its protection. The archives and public property of the State were removed from Jackson to Enterprise, where the seat of government was temporarily established.

11. Jackson was occupied May 14th by Sherman's and McPherson's corps. Their first act was to destroy the penitentiary building, which the State had erected at great cost, and which, at the time of its destruction, was yielding a handsome revenue, the net profit to the State for the last year of its existence being sixty-five thousand dollars. The State armory had been removed to Meridian previous to the evacuation of Jackson, temporary buildings having been erected for the reception of the machinery and ordnance stores on hand. The State institutions for the deaf and dumb and for the blind were broken up.

12. While these events were transpiring in the country around Vicksburg and Jackson, Mississippi was traversed from north to south by a force of Federal cavalry under the infamous Colonel Grierson. The chief object of this raid seemed to be the pillage of the defenseless homes of women and children. Marauding parties from the main command

overran the greater portion of the State, destroying public and private property to an incredible extent. It was Sherman's "March to the Sea" enacted on a smaller scale. As the cavalry force of this department under General Van Dorn had been ordered, early in the year, to Tennessee to re-enforce General Bragg, no adequate resistance could be offered these ruthless invaders.

13. On the 16th, while Johnston and Pemberton were endeavoring to unite their forces, they were attacked by Grant and the battle of Baker's creek fought. This was considered by Grant to be the hardest-fought battle of the entire campaign. Eighteen Confederate guns and over two thousand men were captured by the Federals. The field was lost, the Confederates retreating across Baker's creek, guarded by Loring's division, to where General Bowen was stationed on the Big Black river. Loring then joined J. E. Johnston. The battle was renewed the next day at Big Black river, with no better success to the Confederates, who lost heavily in artillery and men. The way now being open to Vicksburg, Grant appeared before that city on the 18th of May, and the "Great Siege," which was to make Vicksburg famous in the annals of nations, was begun.

14. Pemberton had retreated into the entrenchments at Vicksburg, and dispatched to General Johnston, "I have determined to hold the city as long as possible. I still think it the most important point in the Confederacy." On the 23d of May, the Federals laid siege to Port Hudson, situated on the Mississippi river, not far above Baton Rouge, Louisiana. It was defended by a garrison of about six thousand men commanded by General Gardner.

15. The siege of Vicksburg presents to the reader one of the most heroic pages of any age or time. The city is built on hills and presented a fair mark for the enemy's artillery. To the westward ran the great river discovered by De Soto, now covered with the gunboats of a haughty enemy. To

protect themselves from the flying shot and shell, the heroic inhabitants who disdained to leave their city were forced to dig caves in the sides of the hills, carrying on there the ordinary duties of life. Not only the garrison, but the inhabitants of Vicksburg, sustained the trials of the siege with the most enduring fortitude. No murmur of complaint was heard from the heroic little band of soldiers enclosed within the hot and stifling entrenchments, living on less than half rations, in danger every minute of the day or night from the explosions of the enemy's shot and shell. Yet, amidst all these dangers, they held out bravely against Grant's force of sixty-thousand until starvation or surrender were their only alternatives.

16. Vicksburg was surrendered on the 4th of July, 1863, and the "Great Siege" was over. The causes which led to a surrender are given by General Pemberton, as follows: "It must be remembered that, for forty-seven days and nights, those heroic men had been exposed to burning suns, drenching rains, damp fogs and heavy dews, and that, during all this period, they never had, by day or night, the slightest relief. The extent of our works required every available man in the trenches, and even then they were in many places insufficiently defended. It was not in my power to relieve any portion of the line for a single hour. Confined to the narrow limits of trenches, with their limbs cramped and swollen, without exercise, constantly exposed to a murderous storm of shot and shell, is it strange that the men grew weak and attenuated? * * They held the place against an enemy five times their number, admirably clothed and fed, and abundantly supplied with all the appliances of war. Whenever the foe attempted an assault they drove him back discomfited, covering the ground with his killed and wounded, and had already torn from his grasp five stands of colors, as trophies of their prowess, none of which were allowed to fall again into his hands."

17. The garrison at Port Hudson held out bravely until the fall of Vicksburg rendered further resistance useless. The Mississippi river was now in undisputed possession of the enemy. The fall of Vicksburg was a death-blow to the hopes of the people of Mississippi. From that day they considered it as only a question of time when the entire Confederacy would succumb to the superior strength of the Union forces. About this time, also, the disastrous results of the battle of Gettysburg, Pennsylvania, threw a gloom over the entire South. This battle began on the 1st of July, 1863, and continued for more than three days. General Lee, who had won so many glorious victories in Virginia, thought to strike a decisive blow by marching his army into the heart of the enemy's country. General Meade, who had lately been placed in command of the Union forces, met him at Gettysburg. The Confederates, though successful at first, were at last defeated, after fighting with their usual valor. Pickett's last charge up the heights of Gettysburg will in future be spoken of in the same connection with the last stand made by Leonidas and his deathless Three Hundred. After the battle of Gettysburg, General Lee moved his army into Virginia and took position on the south side of the Rapidan river. The Union army followed up to the north side of the river, but no engagement followed. Nothing of importance took place between the two armies during the remainder of the year.

18. It was in this battle that the gallant General William Barksdale fell mortally wounded; in the forefront of the battle and while leading his brave Mississippians to a desperate charge. As no family in the State has a more illustrious record than the one of which he was a member, it is well to give a brief outline-sketch of the valor and patriotism with which they served their country.

William Barksdale, a farmer of Rutherford county, Tennessee, who came in his early manhood from Virginia, had

four sons, born in the order named: Harrison, Fountain, William, and Ethelbert. Their parents dying before any of them came to majority, they all settled in Mississippi in early life. The second son, Fountain, devoted himself exclusively to private pursuits, and as a Christian gentleman and enterprising, public-spirited citizen, had no superior in the State. Harrison Barksdale, the eldest, began life as a planter in Yazoo county. He was a member of the Legislature for several terms prior to the war. When the war began he enlisted as a private, but was promoted to the office of First Lieutenant of his company and was serving in that position when on the march from Corinth, in 1862, he contracted the disease from which he died in camp at Tupelo, Mississippi. His two sons, Lycurgus and Fountain, also gave up their young lives as an offering upon their country's bloody altars. The first died from sickness in camp, the other was shot through the heart at the battle of the Wilderness.

19. William Barksdale was a lawyer and planter at the outbreak of the war. He served as captain during the Mexican war, and when Mississippi passed her Ordinance of Secession he was serving his third term in her legislative halls. He resigned his seat to accept the commission of Quartermaster-General of the State troops, but soon afterward resigned and united with the Thirteenth Mississippi regiment, of which he became colonel. He led that famous regiment of fighters in all the battles in which it participated in Northern Virginia and Maryland. On the death of General Richard Griffith, he was made a Brigadier-General. A distinguished part of General Barksdale's career was his service as commander of the post of Fredericksburg, Virginia, and the pictorial journals of the day teemed with illustrations of the achievements of "Barksdale and his Mississippians," in holding a desperate position for such a long period against heavy odds. As has been stated, he fell,

mortally wounded, at the battle of Gettysburg, and the spot where "Barksdale fell," amidst the thickest of the fray, is of national fame. President Davis paid a tribute to the gallantry of Barksdale and his men in a telegram communicating the sad news of his death: "He fell a hero at the head of a brigade of heroes." His trusty sword was taken from his body by the Federals, who occupied the ground on which he fell, and was deposited in the War Department at Washington. It was subsequently recovered and deposited in the Mississippi State Library for safe-keeping, by order of the Legislature.

20. Ethelbert Barksdale, the remaining member of this illustrious family, was elected a member of the Confederate Congress, and served in that body from the establishment to the fall of the Southern Confederacy. He was known to possess, to a larger degree than any other member of that body, the friendship and confidence of President Davis. It was on his motion that the bill to repeal what was known as the "Twenty-Negro" clause of the Exemption Act was passed. At the instance of General Lee and President Davis he introduced the famous bill authorizing the employment of negro troops in the Confederate army, conditioned upon the consent of the owner and the sanction of the State in which they lived. This bill was signed by President Davis, and enlistments of negro troops were in progress when the war closed. The experiment might have been successful at an earlier date. After the Reconstruction Period, Major Barksdale served as presidential elector on the Democratic ticket in 1876, and also as a member of the Forty-eighth and Forty-ninth Congresses.

QUESTIONS ON CHAPTER XXXI.

Movements of Bragg and Rosecrans in Mississippi and Tennessee?
Attack on Corinth by Van Dorn and Price? Defeat and loss? Dash-

ing attack of Van Dorn upon Holly Springs? How did it affect Grant's advance upon Vicksburg? Sufferings occasioned by the war? Claims of the soldiers' families? The most pressing want of a blockaded people? Measures taken to procure this necessity of life? Scarcity of coffee? Substitutes for the same? Sacrifices made by the women of the State? "Homespun" clothing? Measures taken by the Legislature to relieve the destitute? Mississippi forces in the field? Burning of cotton by Confederate authorities? Issuing of the "Emancipation Proclamation?" Did it have any visible effect upon the masses of the negroes? When did Grant and Sherman appear before Vicksburg? How had Sherman previously tried to reach the city? Grant's first attempt to capture it? Its failure? When did the Federal forces above and below the city unite? Attack upon Grand Gulf? Passage of the batteries and landing of Grant's army on the Louisiana side? How was their advance checked for a time? Gallant fight of Bowen and his Confederates? When did Port Gibson fall? Grand Gulf? Junction of Bowen and Loring on the Big Black? Advance of Grant's army on Vicksburg? Re-enforced by Sherman? When did General Joseph E. Johnston arrive at Jackson, Mississippi? Advance of the enemy upon that place? Its evacuation? Removal of the archives and public property? When did the Federals enter the capital of the State? Their first act of vandalism? Breaking up of institutes for deaf mutes and for the blind? Grierson's raid through Mississippi? When was the battle of Baker's creek fought? Grant's estimate of this battle? Confederate retreat and loss? Where was the battle renewed the next day, and with what success? When did the "Great Siege" of Vicksburg begin? Situation of Pemberton and his forces? His dispatch to General Johnston? Siege and defense of Port Hudson? Details of the siege of Vicksburg? Fortitude of the heroic defenders and people of the city? What finally were the only alternatives? When did Vicksburg surrender? Give the causes of same in General Pemberton's own language. Fall of Port Hudson? Who now held undisputed possession of the Mississippi river? Effect of the fall of Vicksburg on the people of the State? What great battle began in Pennsylvania on the 1st of July, 1863? Commanders on the Confederate and Union sides? Pickett's last charge up the heights? Lee's movements after his defeat at Gettysburg? Movements of the enemy? Fall of General William Barksdale? Sketch of his family? Fountain Barksdale? Harrison? His two sons? Outline-sketch of the heroic life and death of General Barksdale? In what capacity has Major Ethelbert Barksdale served his State?

CHAPTER XXXII.

1863.

1. After the surrender of Vicksburg, General Johnston fell back to Jackson, his army reaching that place on the 7th of July, 1863. He was followed by a portion of the Federal army under Sherman, who laid siege to the capital, directing a heavy bombardment against the main portion of the city.

Although Jackson was poorly fortified and unprepared for the attack, the firing was returned in a spirited manner, and assaulting parties were frequently repulsed. On the 16th of July, General Johnston evacuated the city, the Federals following him as far as Brandon, but no further.

2. The general elections in Mississippi were held in the autumn of 1863. There were three candidates for the Governor's office, Generals Charles Clarke, A. M. West, and Reuben Davis. General Clarke was elected, receiving a large majority of the popular vote. He was of German extraction, and was born in Cincinnati, Ohio, in 1811. He was educated in Kentucky, and removed to Mississippi for the purpose of engaging in school-teaching. Having studied law, he was admitted to the bar when quite young, commencing his professional career in Fayette, Jefferson county. He was frequently chosen to represent Jefferson and Bolivar counties in the Legislature, where he served with distinguished ability and fidelity.

During the war with Mexico, he became, by the resignation of Reuben Davis, Colonel of the Second Mississippi Regiment, where he won the respect and confidence of all with whom he came in contact. His regiment was composed of some of the best material the State afforded, but

much to their regret they reached the scene of action too late to be of material service.

3. At the beginning of hostilities, soon after the secession of Mississippi, Colonel Clarke received the commission of Brigadier-General, and was afterward promoted to the rank of Major-General. He served for several months in Virginia, and was then ordered to report to General Albert Sidney Johnston, in Kentucky. At Shiloh he commanded the first division of General Polk's corps. In a charge against Logan's division, he was desperately wounded, after winning the admiration of the whole army.

4. At Baton Rouge, General Clarke again commanded a division under General Breckinridge, and, while driving the enemy before him, was again wounded, having his right thigh horribly fractured. At his own request he was left on the field, and was subsequently sent to New Orleans, where he received the best medical attention. His life was saved, but he was forever unfitted for service on the field.

General Clarke was exchanged in 1863, not long before his almost unanimous election to the office of Governor. He served the State with great ability, his military skill and judgment averting from the State many of the evils of war.

5. Owing to the exposed condition of the capital, the Legislature met in November, 1863, in the city of Columbus, the seat of government being temporarily removed from Macon for that purpose. Governor Clarke was inaugurated on the 16th of November, 1863. He was escorted to the hall, where the two houses of the Legislature had met, by a detachment of Confederate troops commanded by Colonel W. S. Barry. After the oath of office was administered, Governor Clarke delivered his inaugural address, in which occurs the following passage :

"We have not lightly entered upon the path we are pursuing, and, conscious of the rectitude of our intentions and the justice of our cause, we have neither motive nor desire to retrace our steps. There may be

those who delude themselves with visions of a reconstructed Union and a restored Constitution. If such there be, let them awake from their dreaming! Between the South and the North there is a great gulf fixed. It is a gulf crimsoned with the blood of our sons and brothers, filled with the bitter hatred of our enemies and the memories of our wrongs. It can be passed only with dishonor, and in reconstruction we shall reach the climax of infamy! Humbly submit yourselves to our hated foes and they will offer you a reconstructed Constitution providing for the confiscation of your property, the immediate emancipation of your slaves, and the elevation of the black race to a position of equality, aye, of superiority, that will make them your masters and rulers. Rather than base submission, ruin, and dishonor, let the last of our young men die upon the field of battle, and when none are left to wield a blade or uphold our banner, then let our old men, our women, and our children, like the remnant of the heroic Pascagoulas, when their braves were slain, join hands together, march into the sea, and perish beneath its waters."

6. At this session of the Legislature, Hon. J. W. C. Watson was elected Confederate States Senator to succeed Hon. James Phelan, whose term of office had expired. Hon. J. A. Orr, W. D. Holder, H. C. Chambers, O. R. Singleton, E. Barksdale, and J. T. Laniken were elected to the Confederate Congress from the State at large.

7. The militia laws of the State had, up to this time, proved very defective, though both the cavalry and infantry of this branch of the service had rendered important aid to the State, the former in giving security to and guarding the property of the citizens from marauding bands of the enemy, the latter in guarding important depots of public supplies along the line of the different railroads, relieving the Confederate troops of that duty. A large portion of the press and people were opposed to the enforcement of the militia law, believing in the ability of the Confederate troops to guard the State from invasion; but after the occupation of the capital and other places in the State, which several thousand additional troops could have prevented, the subject of a thorough reorganization of the militia was considered.

8. The last message of Governor Pettus recommended the extension of the militia law so as to include and make subject to military duty every free white male person, either a citizen or a temporary resident, between the ages of sixteen and sixty years, and Governor Clarke, immediately



STEPHEN D. LEE.

after assuming the duties of his office, began making preparations for a stringent and effective enforcement of the militia law. At the close of 1863, there were three regiments, three battalions, and ten unattached companies of State troops in the field. A regiment of unattached companies was being organized by Brigadier-General J. Z. George.

9. At this stage of the war, when the Confederate arms were meeting with reverses on every side, much discontent was manifested in various quarters with the administration of President Davis. On the 23d of November, 1863, the

Legislature of Mississippi adopted the following resolution :

“Resolved, That Jefferson Davis, President of the Confederate States of America, continues to possess our confidence in his ability to manage the helm of State, in his patriotism and devotion to the cause of Southern liberty and independence, and his integrity to the principles which severed our connection with the North, and which form the imperishable base of this revolution and Confederate Government; notwithstanding the misfortunes of war have given over to the ravages of a ruthless foe some of the best and fairest portions of our devoted Mississippi; notwithstanding our friends and brethren have been plundered of their property and driven from their homes, and our wives, mothers, sisters, and children have been subjected to the insults of a brutal soldiery, and deprived of those comforts and that independence to which birth, education, and habit had accustomed them, and notwithstanding devoted Vicksburg and heroic Port Hudson suffered, endured, and passed from our possession, and Mississippi bleeds at every pore from the reverses of the year, we believe Mississippi’s favored son was not wanting in purposes or cherished desire to keep the poisoned chalice from our lips and hearts, or failed to avail himself of the most effective means at his command to triumph over and repel the invaders.”

QUESTIONS ON CHAPTER XXXII.

Where did General Johnston fall back to after the surrender of Vicksburg? What Federal commander followed him? Condition of Jackson for purposes of defense? Its evacuation by Confederates? General elections in Mississippi in 1863? What three candidates for Governor? The successful one? Outline-sketch of his life? His war record? His desperate charge and dangerous wound at Shiloh? At Baton Rouge? His peculiar fitness as a “war Governor?” Where did the Legislature meet in 1863? Inauguration of Governor Clarke? Give an extract from his inaugural address. Who succeeded Hon. James Phelan as Senator from Mississippi to the Confederate Congress? Members from the State at large? What of the defective militia laws? Why were so many of the press and people of the State opposed to the enforcement of these laws? Last message of Governor Pettus? What action did Governor Clarke take in the matter immediately after assuming the office? Number of State troops in the field at the close of 1863? General George’s regiment? Discontent with Davis’ administration? Resolutions of the Legislature of Mississippi concerning it?

CHAPTER XXXIII.

1864.

1. The beginning of the year 1864 found the Confederacy struggling for existence, yet holding at bay the immense armies of the Federal Government. After the fall of Vicksburg, General U. S. Grant was placed in command of the entire Federal forces, and planned two campaigns of great importance, one for himself against Richmond and one for General Sherman against Atlanta. The Confederate forces in Virginia were under command of General Robert E. Lee ; those in Georgia of General Joseph E. Johnston.

2. In May, Sherman attacked Johnston at Resaca, Georgia, but was repulsed with heavy loss, while the Confederate loss was slight. From May 14th to June 4th, a series of attacks and repulses ensued, culminating in the unsuccessful attempt of Sherman to dislodge Johnston from his mountainous position. On the 9th of June a desperate attack was made by the enemy upon our forces, and for more than three weeks the fighting was incessant. On the 14th of June, General Leonidas Polk, a consecrated Bishop of the Protestant Episcopal church, was killed, and General Loring appointed to succeed him. General Johnston finally concentrated his forces around Kennesaw Mountain in a strong position, from which all of Sherman's skill failed to dislodge him.

3. A flank movement of Sherman's, made by sending McPherson across the Chattahoochee river, finally caused Johnston to withdraw his army, which he did in splendid style. At this important stage of the warlike game, Johnston, whose masterly movements were the admiration of the world, was, by an order issued from Richmond by President

Davis, superseded by General John B. Hood, a brave but notoriously rash officer. Hood at once commenced an aggressive movement contrary to Johnston's line of conduct, which had been to act entirely on the defensive. Two days after Hood assumed command he attacked Sherman, and after a bloody battle of five hours, was defeated with tremendous loss. On the 21st of July he again attacked Sherman, and another sanguinary battle, in which both sides claimed to be victorious, ensued.

4. On the 28th of July, Hood again attacked Sherman desperately, but unsuccessfully. August 5th, Hood defeated Schofield, who made an attack upon him. Sherman attacked and defeated Hardee at Jonesboro, which compelled Hood to evacuate Atlanta. Hood then projected his Tennessee campaign, hoping to force Sherman to abandon Georgia. On September 28, 1864, he began his famous retreat, hoping thereby to induce Sherman to follow him. General French was sent to capture Altoona, where Sherman's supplies were located, but the place being too strongly situated, the attempt failed. Thomas was sent into Tennessee, and Sherman, after burning Atlanta to the ground, commenced his celebrated "march to the sea."

5. With the purpose of laying waste a country upon which the Confederates were relying for supplies, Sherman with an army of seventy-thousand Federals began his march through Georgia, reaching and taking Savannah, December 21, 1864, his vast army advancing in four columns and covering in their foraging operations a strip of territory sixty miles in width. Desolation and dismay attended the march of the invader; smoking ruins and homeless women and children were left in its rear. Sherman himself, it is said, boasted that "a crow could not subsist on the track" over which his army had passed.

6. On February 1, 1865, the invaders crossed into South Carolina and marched in the direction of Columbia. Here,

as in Georgia, his advance was marked by smoking ruins and general destruction. He met with practically no resistance. General Hardee, the Confederate general at Charleston, saved the city by abandoning it as soon as Sherman reached the railroads leading into the city. This was done



MAJOR-GENERAL E. C. WALTHALL.

on February 18, 1865. Sherman reached the doomed city of Columbia, South Carolina, February 17, 1865. The day was spent in plundering the city, the night in burning it, and scenes of woe that beggared description ensued. After the destruction of Columbia, Sherman advanced into North Carolina to oppose the Confederates under General Joseph E. Johnston.

7. Lieutenant-General Stephen D. Lee, of Mississippi, also rendered effective service in this campaign, which included some of the bloodiest battles of the war. His forces included the famous cavalry command of General

Bedford Forrest, a soldier by nature, and the idol of the cavalrymen of West Tennessee and Mississippi, of whom his command was largely composed. At the battle of Fort Donelson, Forrest refused to surrender when the white flag was hoisted by the general in command, but calling on his brave men to follow him, he was "out and away o'er bush and fen," the whole command being compelled to swim their horses a considerable distance before reaching dry land.

8. Major-General E. C. Walthall also co-operated with Hood in his famous retreat. When the shattered army, conscious that "some one had blundered," yet as loyal as the noble "six hundred" under similar circumstances, reached Tennessee, Walthall and Forrest, the "right and left arms of Hood," hovering around the rear of the broken columns, saved them from utter destruction. Hood himself credited Walthall and Forrest with saving his army from destruction. General E. C. Walthall is a native Mississippian, a distinguished lawyer, and, besides the services rendered during the war, has long represented his people in Congress.

9. Stephen D. Lee, a graduate of West Point, was one of the bravest and most skillful officers of the entire army. With a force of seven thousand men he attacked and defeated a Federal force of fifteen thousand under General A. J. Smith, who had left Memphis with re-enforcements for Mobile. The "retreat" terminated so disastrously for Hood that his losses in Tennessee alone are estimated to have been about ten thousand men, including killed and captured. At Franklin the Union army under General Schofield was compelled to retire, and Hood, with characteristic boldness, continued to advance until with thirty-seven thousand men he had besieged Nashville, where Thomas, a native of Virginia, but a Union general, lay awaiting him with fifty-five thousand. While Hood waited for promised re-enforcements, Thomas, taking the offensive movement, attacked him with

such force that the Confederates were compelled to retreat from their position, and but for Lee, Walthall, and Forrest, would have been utterly destroyed. Hood made a last stand at Tupelo, Mississippi, his brave soldiers depressed, but not despairing.

10. On the 4th of May, General Grant, whose watchword was "On to Richmond," had crossed the Rapidan. The



HON. JAMES R. CHALMERS.

Federal cause in Virginia was very much strengthened by the successes it met with in Georgia. Though Hood's defeat and Sherman's march to the sea operated terribly against the Confederate cause, our brave soldiers continued to "hope against hope." Their reputation in battle was such that Grant thought it necessary to oppose an army of one hundred and forty thousand men against Lee's sixty thousand. On the 12th of June, 1864, Grant crossed the Chickahominy and moved toward the James river. On the 15th,

Lee's advance entered Petersburg, and on the 17th and 18th, Grant made an attack upon his intrenchments, with but little success, his forces being repulsed with heavy loss. After every effort to take the place by storm, a regular siege began; Grant with a large force crossed to the north bank of the James, threatening Richmond from that quarter. The lines of the two commanders now faced each other, Grant watching eagerly for some opportunity to break his enemy's line, and Lee equally as wary in warding off attack.

11. By the fall of 1864, Mississippi was almost depleted of all articles of food and clothing not manufactured at home. In those sections of country tributary to points held by the enemy, a species of commerce called "blockade-running" was inaugurated, but it was of no benefit to the good citizens of the country, as articles obtained in this way were held at fabulous prices by speculators, and were beyond the reach of the majority of the people. This species of blockade-running is to be distinguished from that practiced on the Confederate coast, where light sailing vessels often evaded the vigilance of the Federal blockading squadron, and speeding off before the wind, were soon in communication with vessels from European ports, which were ready at any time to trade with the beleaguered Confederates. Running the blockade of the enemy's lines within the Confederacy was deprecated by the soldiers at the front, as it often involved the taking of the oath of allegiance to the United States Government.

12. In the depressed condition of affairs, Confederate money had depreciated in value to such an extent as to be almost worthless as a medium of exchange. Fifty dollars in Confederate money only equaled one of gold. A single pair of shoes brought from fifty to seventy-five dollars, and calico and other cotton goods prices equally extravagant.

13. On the 3d of February, 1865, commissioners from the Confederate Government met those from the United States,

the latter including President Lincoln, and the former Vice-President Stephens, on board of a war-vessel in Hampton Roads, for the purpose of holding a peace conference, but as Mr. Lincoln would accept nothing from the Confederate Government but unconditional surrender, the conference terminated without effect. Hon. Jacob Thompson, who had engaged actively in the Confederate service from the beginning of the war, was, towards its close, sent by the Confederate Government upon a mission to Canada, entrusted with a secret-service fund for the purpose of enlisting aid in behalf of our waning cause. Hon. C. C. Clay, of Alabama, was associated with Mr. Thompson in this mission, which was performed to the entire satisfaction of the Confederate authorities.

14. On the 23d of February, 1865, General Joseph E. Johnston was reinstated over the shattered remnants of his old command. Grant's army in Virginia was still slowly and cautiously encircling Lee's heroic little army, getting nearer and nearer to Richmond, the capital of the fated Confederacy. On the 2d of April, 1865, it became necessary for the Confederate army to retire from Petersburg, and orders were given on the same day for the evacuation of Richmond.

15. Lee's army retreated to Appomattox Court House, and here, on the 9th of April, 1865, the memorable meeting between the two commanders, Lee and Grant, took place, and arrangements for the surrender of Lee's army were completed. The terms of the surrender are included in the correspondence which took place between the two commanders on the same day. General Grant wrote to General Lee as follows: "In accordance with my letter to you of the 8th instant, I propose to receive the surrender of the army of Northern Virginia on the following terms, to-wit: Rolls of all the officers and men to be made in duplicate, one copy to be given an officer designated by me, the other to be

retained by such officers as you may designate. The officers to give their individual parole not to take arms against the government of the United States until properly exchanged, and each company or regimental commander to sign a like parole for the men of his command. The arms, artillery, and public property to be parked and stacked and turned over to the officers appointed by me to receive them. This will not embrace the side-arms of the officers nor their private horses or baggage. This done, the officers and men will be allowed to return to their homes, not to be disturbed by the United States authority so long as they observe their parole and the laws in force where they may reside."

16. To which General Lee replied: "I have received your letter of this date, containing the terms of the surrender of the army of Northern Virginia, as proposed by you. As they are substantially the same as those expressed in your letter of the 8th instant, they are accepted. I will proceed to designate the proper officers to carry the stipulations into effect." At the time of his surrender, Lee's army amounted to only ten thousand men, while Grant's numbered nearly one hundred and fifty thousand.

17. Upon the evacuation of Richmond, President Davis and the Confederate Cabinet, of course, left the city, Mr. Davis remaining at Danville, Virginia, until after the surrender of Lee's army, when he proceeded to North Carolina, where General Joseph E. Johnston was still waging an unequal warfare with Sherman. About this time the assassination of President Lincoln by John Wilkes Booth reached the South, where it was received with universal condemnation. An attempt to implicate some of the Southern leaders in the plot, which caused Lincoln his life, proved worse than useless.

18. On the 27th of April, 1865, General Joseph E. Johnston surrendered his army to General Sherman on substantially the same terms that had been accorded to Lee by

Grant. A few days afterward, Mr. Davis, whose object was to reach the West, where there were still unsundered Confederate troops, was captured by a party of Federal cavalry, sent by water to Fortress Monroe, and there incarcerated as a prisoner of State.

19. Early in May, 1865, the "last Confederate surrender" was made, that of Lieutenant-General Richard Taylor, in command of the Department of Mississippi and Alabama. This virtually ended the Civil war.

Thus ended one of the most lamentable contests in the history of the world—a contest that arrayed in strife brother against brother, and created a bloody chasm between the two sections of a country which had hitherto been the happiest and most prosperous on earth. The seeds of this great conflict were sown long before the men who fought each other were born. Slavery, the cause of the war, was abolished, greatly to the benefit of the people of the South. At the close of the war, the South was financially ruined. Indeed, the war was very costly to both sides, both in treasure and in blood.

At its close, the North had a debt of nearly three billions of dollars hanging over it. The greatest loss suffered, however, by the South, was in the number of her gallant sons who were slain in battle, or who died from wounds or disease. While the North had the world to recruit her armies from, the South was forced to send forth the flower of her manhood, the youth of sixteen summers and the old man of sixty. It is considered a low estimate to say that on both sides of the great Civil war, over one million of men were killed and wounded.

More than one good lesson, however, has been learned by the student of the great struggle. The people of the North and South learned to know each other better, and to respect each other's opinions more after the smoke of battle had died away. The South has become more prosperous and

self-reliant through the enforced discipline of poverty and self-denial, and is now developing her many natural resources with great rapidity.

QUESTIONS ON CHAPTER XXXIII.

In what condition did the beginning of the year 1864 find the struggling Confederacy? Who was placed in command of the entire Federal forces after the fall of Vicksburg? What two campaigns were planned by him? Commanders of Confederate forces in Virginia and Georgia? Battle of Resaca, Georgia? How did Sherman's attempt to dislodge Johnston result? Three weeks of fighting? Death of Bishop Polk? His successor? Where did Johnston finally entrench himself? What finally caused the Confederate commander to withdraw his army from this position? Removal of Johnston from command and appointment of Hood? Hood's plan of attack? The three battles that ensued? Hood's defeat of Schofield? How did Hood hope to force Sherman to abandon Georgia? Show how this plan failed? Sherman's "march to the sea?" Devastation attending it? Burning of Columbia? How did Hardee save Charleston? Whither did Sherman march after the destruction of Columbia? Services rendered by General Stephen D. Lee in this campaign? General Bedford Forrest? Of whom was his command largely composed? His action at Fort Donelson? General E. C. Walthall? To whom did Hood give the credit of saving his army on its memorable retreat from Tennessee? Sketch of General Stephen D. Lee? Losses of Hood's army in Tennessee? Battles of Franklin and Nashville? Hood's last stand? How was the Federal cause strengthened in Virginia? Reputation of Confederate soldiers in battle? Difference in numbers of the two armies? When did Grant cross the Chickahominy? Lee's entrance into Petersburg? Grant's attack and repulse? Siege of Petersburg? Situation of the two armies? Situation in Mississippi by the fall of 1864? Blockade-running? Why disapproved of by the Confederate soldiery? Confederate money? High price of necessary articles? When and where did commissioners from the Confederate Government meet Mr. Lincoln? How did the conference end? Thompson and Clay? When was General Joseph E. Johnston reinstated? When did the Confederate authorities return from Petersburg? Lee's retreat to Appomattox? Meeting of Lee and Grant? Terms of the surrender? Lee's answer to Grant? Difference in the numbers of the

two armies at the time of the surrender? Where did President Davis and the Confederate Cabinet go after Lee's surrender? Assassination of President Lincoln? Surrender of Johnston to Sherman? Capture of Mr. Davis? "Last Confederate surrender?" Character of the Civil war? Debt of the United States at the close of the war? Greatest loss of the South? Number of killed and wounded on both sides? Effect of the war on the people of the South?



CHAPTER XXXIV.

1865.

1. The Legislature of Mississippi was in session when the news of the surrender of General Richard Taylor reached the city. It was rumored at the same time that a force of Federal cavalry, under General Osborne, was advancing upon Jackson, and that the Governor and members of the Legislature would be placed under immediate arrest. The Legislature, at the request of the Governor, hastily disposed of the business of the hour and adjourned, the members dispersing in order to prevent the execution of the order of arrest.

2. The Federal troops entered the city May 22, 1865, took possession of all offices of public business, and finally, with slow and measured tread, entered the capital itself, demanding of the Governor the abdication of his office and the surrender of the archives and State property. "I comply with your demand," said Governor Clarke, whose wounds, received at Shiloh, had rendered him incapable of standing erect, "only because I am forced to do so, and I protest in the name of freedom and justice against this act of lawless usurpation on the part of the President of the United States."

3. He was immediately arrested and sent to a military prison at Fort Pulaski, there to await the pleasure of the United States authorities. His last official act was the appointment of Judges Sharkey, Wharton, and Yerger as a commission to proceed at once to Washington for the purpose of securing, if possible, from President Johnson terms favorable to the peace and welfare of the people of Mississippi. Judge Wharton, who had at one time served as a commissioner from Mississippi to urge secession on the part of the

other Southern States, declined to act, and Colonel Jones S. Hamilton was appointed in his stead.

4. Not Mississippi alone, but all of the recent Confederate States, were placed under martial law and occupied by military forces of the United States Government. Provisional governors were appointed in each of the Southern States, with instructions for the assembling of conventions composed of persons loyal to the Government of the United States, whose duty it should be to alter and amend the Constitutions of the several States.

5. On the 13th of June, 1865, Judge W. L. Sharkey was appointed Provisional Governor of Mississippi. His well-known sympathies with the Union previous to the outbreak of hostilities between the sections, recommended him to the authorities at Washington, and he immediately entered upon the noble task of endeavoring to restore peace and harmony between his State and the Government of the United States.

On the 14th of August, 1865, a convention assembled in Jackson, which declared void the ordinance of secession, and abolished slavery forever in the State. This convention passed an ordinance providing for a general and special election to be held on the 2d of October, 1865. At this election Hon. B. G. Humphreys received a majority of the votes cast for Governor, and was declared the constitutionally elected Governor of Mississippi for the ensuing term.

6. Hon. William L. Sharkey was elected United States Senator for the term commencing March 5, 1865, and Hon. James L. Alcorn for the long term, commencing March 5, 1865. Arthur E. Reynolds, Richard A. Pinson, James T. Harrison, A. M. West, and E. G. Peyton were the members-elect to Congress from the State at large, but neither Senators nor Representatives from Mississippi were admitted to their seats, Congress having refused to endorse President Johnson's reconstruction policy before their admission to office.

7. Governor Humphreys was inaugurated on the 16th of October, 1865, the oath of office being administered by ex-Governor Sharkey. The sentiment of the people of the State in regard to their readmission may be learned from the following extract from the inaugural address: "The people of the State of Mississippi, acknowledging the decision of war, a tribunal from which there is no appeal, desire to return to the Union and renew their fidelity to the Constitution of the United States. It has been officially reported, from some quarters, that our people are insincere and the spirit of revolt is rampant among us. But if an unflinching fidelity in war gives evidence of reliable fidelity in peace; if the unvarying professions that spring from private and public sources furnish any evidence of truth, it is sufficiently demonstrated that the people of the South, who, so long and against such terrible odds, maintained the mightiest conflict of modern ages, may be safely trusted when they profess more than willingness to return to their allegiance. The South, having ventured all on the arbitrament of the sword, has lost all save her honor, and now accepts the result in good faith. It is our duty to address ourselves to the promotion of peace and order, to the restoration of law, the faith of the Constitution, and the stability and prosperity of the Union; to cultivate amicable relations with our sister States, and establish our agricultural and commercial prosperity upon more durable foundations, trusting that the lessons taught by the war will not be lost, either to the North or the South; that free men once enlightened will not submit to wrong or injustice, that sectional aggression will meet with sectional resistance, and that the price of political perfidy is blood and carnage."

8. On the 1st of November, 1865, a memorial to President Johnson in behalf of Hon. Jefferson Davis, who was still confined in prison, was adopted by both houses of the Legislature. The presence of an armed force, composed partly of

negroes, on the soil of our State, was a standing grievance to the people of Mississippi; and in December, 1865, the Legislature appointed a commission to visit Washington City, to act in conjunction with the Congressmen-elect from Mississippi, in representing to President Johnson the condition of affairs in the State caused by the presence of colored troops, and the fears entertained of insurrectionary movements among the negroes. This commission was urged to secure, if possible, the removal of colored troops from the State, and to procure arms for the defense of the State by the militia. The President finally consented to the removal of the troops from the State, and Mississippi was for a time relieved of this standing menace against the rights and liberties of her citizens.

9. The Fourteenth and Fifteenth Amendments to the Constitution of the United States conferred citizenship upon the lately emancipated slaves of the South. The Southern States, which had composed the late Confederacy, were unwilling, with the exception of Tennessee, to ratify these amendments, on the ground that the action of Congress was premature, the freedmen not being yet prepared for the responsible duties of citizenship. Upon the refusal of these States to ratify the proposed amendment, Congress declared them to be still in a state of rebellion.

10. In March, 1867, Congress passed the Military Reconstruction Law, dividing the late Confederate States, with the exception of Tennessee, into five military districts, rendering the existing Civil Governments provisional only, and making them in all respects subject to the paramount authority of the government of the United States. Mississippi again became subject to military rule, being placed, with Arkansas, in the Fourth Military District, General E. O. C. Ord, Division Commander.

General Ord entered upon the duties of his office on the 26th of March, 1867. He issued an order on the 26th of

April, to the effect that elections to fill vacancies in State offices would not be held until a registration of votes had taken place; and that prior to this registration all vacancies would be filled by appointment of the military commander. This order immediately precipitated a horde of hungry office-seekers upon the State, and the seeds of discord and race-strife were sown, which unfortunately sprang up and bore abundant fruit. The Reconstruction Act provided that in all elections to office under the provisional State governments, all persons should be entitled to vote.

11. Governor Humphreys, for the time being, was permitted to retain his seat, though military governors were forced at the point of the bayonet upon many of the unreconstructed States. While the people of Mississippi had shown their willingness to acquiesce in the measures of the Federal Government on most points, had repealed the ordinance of secession and abolished slavery forever, a large majority of them were opposed to the admission of the negro to citizenship and the ballot-box. The registration books in Mississippi in 1867 showed that of the white voters only 46,636 registered, while of the negroes there were 60,167. In the election which was subsequently held to decide whether or not the State should assemble a convention, comparatively few of the white voters went to the polls, giving the Republicans, who favored the holding of a convention, an easy victory. In the election of delegates to this convention, the entire political power of the State was thrown into the hands of a few adventurers from the Northern States and a host of ignorant negroes.

12. The famous "forty-acres-and-a-mule" watchword of the Republicans had led the negroes to believe that the lands and property of their former owners would be distributed among them, and the non-fulfillment of this promise, together with the inflammatory speeches of their political leaders, caused the most violent demonstrations against the

whites to be made in many localities. Apprehensions of the gravest nature were excited, and in December, 1867, Governor Humphreys was forced to appeal to General Ord for assistance in preventing insurrection. General Ord immediately issued orders for the arrest of all persons, white or black, found plotting against public peace and safety. This had the effect of breaking up conspiracies, and restored, for a time, a feeling of confidence in the public security.

13. An organization known as the "Freedman's Bureau" was at this time in active operation in the Southern States: It had been established by Congress for the "relief of freedmen refugees and abandoned lands," and, although the President vetoed the bill for its establishment, it was passed over his veto. The officers of this institution were granted the most arbitrary power in proceedings against the white inhabitants of the State, even forbidding their assembling together under any pretext whatever.

14. The election for the convention was held on the 5th of November, 1867, and the convention assembled on the 8th of January, 1868, continuing in session until the 18th of May. The famous "Barebones Parliament," of Revolutionary celebrity, in England, was a dignified body in comparison with that which now sat within the legislative halls of Mississippi. B. B. Eggleston, of Ohio, presided over their deliberations. The very foundations of State Government, which had been laid in law and order, were torn up by this sacrilegious mob. One of their first acts was the appointment of a committee to petition Congress for power to remove the State officials, appointed or elected under the provisional government, and to appoint others in their stead, charging that the provisional government was in the hands of the rebels, and that the lives and property of loyal men were insecure.

15. The High Court of Errors and Appeals, with its elective judiciary, was abolished, and a Supreme Court,

consisting of three judges appointed by the Governor, established in its stead. The Circuit benches were also required to be filled by appointment, and a separate Chancery Court was established in each county, with full jurisdiction in all matters in equity and such as pertained to a court of chancery. The Chancellor's office was required to be filled in the same manner as the Circuit Judges and Judges of the Supreme Court.

16. The office of Lieutenant-Governor was established; also a Commissioner of Emigration and Agriculture, who should be elected by the Legislature. A Board of County Supervisors was substituted for the old Board of Police. A system of free public schools was adopted, and the office of State Superintendent of Public Education established. It was provided that that officer, in connection with the Secretary of State and Attorney-General, should form a Board of Education for the management and investment of the school funds, under the direction of the Legislature. A Superintendent of Education for each county was also provided for, the office to be filled by appointment from the State Board, or made elective by the Legislature.

17. Universal suffrage was established, with the exception of criminals only. The ordinance of secession was declared null and void, the existence of slavery prohibited, payment of the war debt forbidden, and the State restrained from participating in the stock of corporations, and from lending its credit to any private enterprise. An election to ratify the Constitution and for the election of State officers, a Legislature, and Representatives in Congress was ordered to be held on June 22, 1868. Before adjourning, the members of this convention voted to themselves the most extravagant compensation for their services during the session.

QUESTIONS ON CHAPTER XXXIV.

Legislature of Mississippi at the time of the surrender of General Richard Taylor? Its adjournment? When did the Federal troops enter Jackson? Action of Governor Clarke when called upon to surrender? His arrest and imprisonment? Last official act of Governor Clarke? Placing of the recent Confederate States under martial law? Appointment of Provisional Governors? Who was appointed Governor of Mississippi? What recommended him to the authorities at Washington? Convention of 1865? Who was elected Governor of Mississippi? Who were elected to the United States Senate from Mississippi in 1865? Representatives? Why were they not admitted to their seats? When was Governor Humphreys inaugurated? Extract from his inaugural address. What memorial was presented to President Johnson by the Legislature of Mississippi? What commission was also sent to Washington? What grievance was for a time removed by order of President Johnson? What of the Fourteenth and Fifteenth Amendments to the Constitution? What Southern State alone accepted these amendments? Why did the others refuse to ratify them? What did Congress declare concerning them? When was the Military Reconstruction Bill passed? Its purport? Who was placed in command of the Fourth Military District? When did he enter upon the duties of his office? Order concerning elections? Its effect upon the State? What of the Reconstruction Act? Was Governor Humphreys permitted to retain his seat? What did the registration books in Mississippi show in 1867? Why did the Republicans gain an easy victory in 1867? With what promise had this party led the negroes to victory? Demonstrations against the whites? Why was Governor Humphreys forced to appeal to the military authorities? Effect of this appeal? Organization of the "Freedman's Bureau?" Its object? Convention of 1868? Its *personnel*? Its President? One of the first acts of this convention? Abolishment of the High Court of Errors and Appeals? Other changes? Public school system? Universal suffrage? The Ordinance of Secession? Slavery? The war debt? The election?

CHAPTER XXXV.

1868.

1. At the ensuing election the total vote on the ratification of the Constitution was 120,091, of which 55,231 were for the Constitution, and 63,860 against it. The clauses which rendered the Constitution so obnoxious to the white population of the State were those relating to universal suffrage and eligibility to office. The clause relating to the latter was even more vindictive than the acts of Congress required, its proscriptive nature securing its own defeat, the more intelligent negroes voting with the whites against it.

2. No one was allowed to register without first swearing that he had not been disfranchised by any of the acts of the Reconstruction Bill. No one who had voted for the call of the convention that passed the ordinance of secession, who had voted for or signed such ordinance, or who had aided or countenanced the rebellion in any way, was allowed to hold office, unless he had afterward aided reconstruction by voting for the Constitutional Convention.

3. Governor Humphreys was re-elected, receiving 63,321 votes, against 55,250 for B. B. Eggleston, the Republican candidate. Four of the five Congressmen elected were Democrats, and the Democrats had a small majority in the Legislature. On the 4th of June, 1868, General Ord was removed from the command of the Fourth Military District, and General Irwin McDowell placed in his stead. On the 15th of the same month, General McDowell issued an order removing Governor Humphreys and appointing General Adelbert Ames, of Maine, to the vacancy. At the same time, the Attorney-General, Charles E. Hooker, who had served with distinction through the war as Major-General

in the Confederate service, was removed, and Captain Jasper Myers appointed instead. Governor Humphreys was notified of the change by General Ames, but declined to vacate the office, regarding the order of General McDowell as a "usurpation of the Civil Government of Mississippi, unwarranted by, and in violation of, the Constitution of the United States."

4. Congress, however, sustained the order of General McDowell, and a body of soldiers took possession of the Governor's office, ejecting the lawful incumbent at the point of the bayonet. The Governor's mansion was then demanded, and upon Governor Humphreys' refusal to vacate it, the bayonets of the soldiers were again brought into requisition. After the rightful occupant had been ejected, Governor Ames took possession of the "Mansion" and of all the public buildings and archives.

5. In March, 1869, a joint resolution was passed by Congress, which ordered that all persons holding office in Mississippi who could not take the "Test Oath" prescribed in 1862, should be removed from office. It empowered the military commander of the district to fill the vacancies existing in consequence of these removals by the appointment of persons who could take the test oath. General Ames about this time was made the military commander of the district, and immediately proceeded to carry into effect the joint resolution of Congress, by a general order, dated March 23, 1869. Another order was issued about the same time requiring that negroes should be received as jurors.

6. General Grant in the meantime had succeeded Andrew Johnson as President of the United States, and Congress passed an Act authorizing him to submit the Constitution of the State to another election by the people, the obnoxious features, which had secured its defeat in the first instance, being submitted to a separate vote.

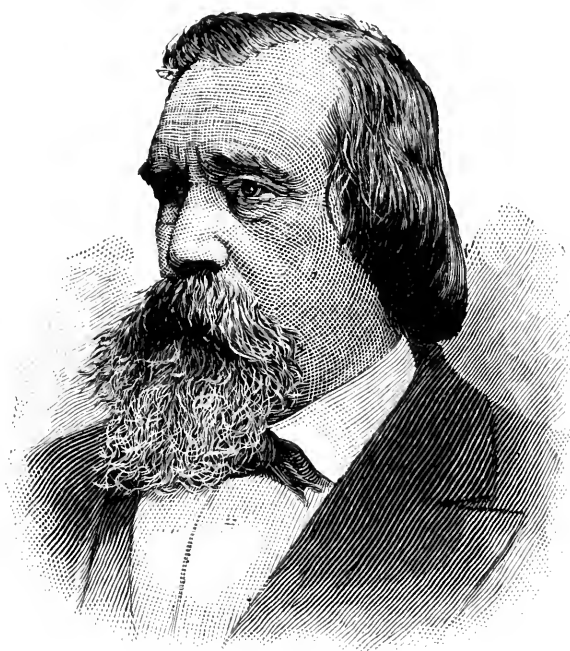
7. The election was held on November 30th, and Decem-

ber 1, 1869, and the result was the rejection of the obnoxious features of the Constitution by large majorities. The Constitution as amended was ratified. There were 105,223 votes in favor of ratification, against 954 opposed. The vote against the disfranchisement of Confederate soldiers was almost unanimous.

8. The Democrats had no ticket in the field at this election, knowing that it was useless to contend against the Republicans, who were divided into two wings or parties. The Radical Republicans, who had the support of the President and Congress of the United States, with a view to conciliating the white voters, placed a conservative ticket for State officers in the field and deprived their platform of its most obnoxious features. Hon. James L. Alcorn, a wealthy planter and politician of Coahoma county, Mississippi, was placed at the head of this ticket for Governor. General Alcorn, who was educated at Princeton, Kentucky, had been a citizen of Mississippi from his early manhood. Six months after his arrival in the State he was elected to the Legislature. In 1857, he was nominated by the Whig party as a candidate against L. Q. C. Lamar, whose district contained a large Democratic majority. He was elected to the State Convention in 1861 as a Unionist, resisting the ordinance of secession while hope of its defeat remained.

9. After the secession of the State, Alcorn raised a brigade of troops pledged for a twelve months' service in the field. The Convention of Mississippi appointed him third on the list of the Brigadier-Generals of the State troops. General Alcorn was elected to the Legislature in 1865, and from there to the United States Senate for a term of six years, though he was not allowed to take his seat on account of existing difficulties. The platform on which he was nominated for Governor declared in favor of a removal of political disabilities as soon as possible. It also pledged itself to a just and economical administration of the State

and National Governments, freedom of speech and of elections, free schools and a reformation of the system of taxation. Fidelity to the Union and to the Republican party, the equality of all men before the law without regard to



HON. L. Q. C. LAMAR.

race, color, or previous condition. were insisted upon by this platform.

10. The other wing of this party was known as the "National Union Republican" party. There was very little difference in the platform of this and the Radical Republican party. Its nominee for Governor was Judge Lewis Dent, brother-in-law of President Grant, whose influence it was hoped could be secured. This hope, however, was not realized, as President Grant stood by the nominees of the regular Republican party.

11. General Alcorn was elected, receiving 76,186 votes, against 38,097 for Judge Dent. The entire Congressional

delegation and three-fourths of the Legislature were composed of Republicans. A general order from the military commander of the district directed the Legislature to meet at Jackson on the 11th of January, 1870. Another general order appointed General Alcorn Provisional Governor, but he declined to accept the appointment, preferring to receive his office directly from the people.

12. The Congressmen elected from the State at large were Geo. E. Harris, J. L. Morphis, H. W. Barry, Geo. C. McKee, and L. W. Perce. The Legislature, which met on the 11th of January, 1870, proceeded to the election of three United States Senators, two to fill out unexpired terms, and Hiram R. Revels, a very intelligent colored man, for the remaining short term. These Senators and the Representatives from Mississippi were the first that were admitted to seats after the war.

13. In 1860 the population of Mississippi had been 791,305; in 1870 it was 827,922, an increase of only 4.63 per cent. The war, which had swept away a large proportion of the flower of her male population, and entirely retarded immigration, was the principal cause of the slow rate of increase, though the reconstruction measures adopted after the war did not tend to attract population.

14. The census report of 1870 shows that Mississippi that year surpassed all other States in the production of cotton. The corn crop was unusually large also. The total value of real and personal estate had dwindled from \$607,324,911 in 1860, to \$209,197,345 in 1870. This diminution in the value of personal property was due chiefly to the emancipation of slaves. The total State taxation in 1870 was \$3,736,432, of which \$1,796,230, including \$1,138,494 due to the educational funds, was State, \$656,585 county, and \$141,600 town and city. The State held bonds and stocks to the amount of \$966,674 as securities for loans to railroads, etc. The State penitentiary was rebuilt after the war.

The convicts, in 1870, were employed partly within the walls upon manufactures and partly leased to persons who employed them on public works in different parts of the State.

15. A State Normal School, devoted to the training of colored teachers, was established at Holly Springs in 1870. According to the census of that year the number of schools of all classes was 1,564, with 1,054 male and 674 female teachers, and 22,793 male and 20,658 female pupils, and an annual income of \$780,339. The Constitution of 1868 required the establishment of a system of free public schools for all youth between the ages of five and twenty-one years, but the Act to carry this provision into effect was not passed until 1871.

16. The University of Mississippi, which was reorganized soon after the close of the war, was in 1870 in a flourishing condition. It embraced three departments: preparatory, scientific, literature, the arts, and professional. Alcorn University for colored students was incorporated by an Act of May 13, 1871, which appropriated \$50,000 a year for ten years for its support, and also bestowed upon it three-fifths of the proceeds of the 210,000 acres of land granted by Congress to the State for the endowment of educational institutions. The tuition was made gratuitous to all colored students living in Mississippi.

17. At Tongaloo University, established in 1870, near the center of the State, there are university, primary and intermediate, normal and theological departments, all for the benefit of colored students. Workshops and a farm of five hundred acres are connected with this school, which enable students to support themselves wholly or in part by their own labor. Shaw University, founded at Holly Springs in 1873, has preparatory, normal, collegiate, theological and law departments. The name, since its foundation, has been changed to Rust University. The Faculty

receives its salary from the treasury of the Freedman's Aid Society. The number of newspapers and other periodicals published in the State in 1870 was 111, of which three were daily, six tri-weekly, three semi-weekly, ninety-two weekly, two semi-monthly, and five monthly. The total number of church organizations at that time was 1,829. Church property was valued at \$2,360,800.

QUESTIONS ON CHAPTER XXXV.

Result of the election in 1868? Clauses of the Constitution obnoxious to the whites? Who alone were allowed to register? Who were debarred from holding office? Who was elected Governor? Election of Congressmen? Removal of General Ord? His successor? Order removing General Humphreys from office? Who was appointed in his stead? Removal of General Hooker? Action of Governor Humphreys? Did Congress sustain the order of General McDowell? How was Governor Humphreys removed from office? In what manner did Governor Ames obtain possession of the Governor's mansion? What resolution was passed by Congress in 1869? What did it empower the military commanders to do? Who was made military commander of the Fourth District? Other orders issued about the same time? Who had succeeded President Johnson? What had Congress authorized him to do? Did the Democrats place any ticket in the field during this campaign? How was the Republican party divided? James L. Alcorn? Give a sketch of his public life prior to this time? Give the platform upon which he was nominated? The other wing of this party? Its platform and nominees? Result of the election? Military orders? Population of Mississippi in 1870? Cause of the slow rate of increase? Census report of 1870? Report of schools? The University of Mississippi? Tongaloo University? Shaw? Change of name? Number of periodicals? Church property?

CHAPTER XXXVI.

1871.

1. At the election in November, 1871, it was found that the Democratic party had made considerable gains, but the Republicans were still very largely in the majority. The Senate was composed of twenty-two Republicans and fourteen Democrats, and the House of sixty-two Republicans, forty-six Democrats, and three Independents.

While the value of real estate throughout the State had greatly depreciated, taxes had multiplied to an enormous extent, and the expenditures in comparison with former years were alarming.

2. On the 30th of November, 1871, Governor Alcorn resigned his office to take his seat in the Senate of the United States. Lieutenant-Governor R. C. Powers succeeded him as Governor of Mississippi. In the Presidential election of 1872, General Grant's majority over Greeley, in Mississippi, was 34,887.

Hon. L. Q. C. Lamar was elected to Congress by the Democrats of the First District. The remaining four districts were represented by Republicans. A. R. Howe represented the Second, H. W. Barry the Third, Jason Niles the Fourth, and George C. McKee the Fifth.

3. The State Superintendent of Public Education reported that for the period beginning January 1st and ending August 31, 1873, two thousand public schools were in operation in the entire State, of which three hundred were of the first grade, seven hundred of the second, and one thousand of the third grade.

The whole number of pupils enrolled in the public schools was eighty thousand, the number of teachers one thousand

eight hundred. The length of the school term was only four months. Public school property in the State amounted to \$1,000,000.

4. In 1873, the Democratic party met in convention, but decided, in view of the immense Republican majority, to make no nominations for State officers. The Republican party again divided, that wing of which General J. L. Alcorn was the acknowledged leader styling themselves "Liberals." They were in favor of home rule and a more economical administration of State and county government. Alcorn was nominated for Governor.

5. The regular Republican party nominated General Adelbert Ames, of Massachusetts, for Governor. He was the same officer who had figured so conspicuously in the expulsion of Governor Humphreys. Three negroes were placed on this ticket as candidates for the most important offices in the gift of the people. They were A. K. Davis, nominated for the office of Lieutenant-Governor; James Hill, for Secretary of State, and J. W. Cardozo, for Superintendent of Public Education.

6. The regular Republican ticket was elected, Ames receiving 74,307 votes, against 52,904 for Alcorn. The Senate was composed of twenty Republicans and forty-four Democrats. A large majority of the Republican members of the Legislature were negroes. These voted solidly against the whites, and were able to defeat every measure of reform introduced by them.

7. The election of Ames and his colleagues resulted in arraying the white and black races in Mississippi against each other. Race conflicts, resulting often in bloodshed and death, were of frequent occurrence, and the inhabitants of the State were compelled to submit to the presence of armed bodies of negroes, commanded by officers of their own color, of the most dangerous and turbulent type.

8. The belief prevailing among the white inhabitants

that, for selfish ends and partisan purposes, the Governor and other State officers were encouraging the negroes to open acts of violence, added greatly to the general indignation caused by these outrages. In December, 1874, a serious riot occurred at Vicksburg, in which many of the inhabitants of the country, mostly negroes, were killed. It is said that when this riot was reported to Governor Ames, he coolly remarked: "The killing of fifteen or twenty negroes would be of immense benefit to the Republican party at this time. What if this contest does cost blood? The blood of the martyrs is the seed of the church."

9. The white people of Mississippi, and many of the negroes, recoiled in horror from the rule of a man capable of expressing such sentiments as these. The most vindictive feelings of the lower class of negroes were aroused against the whites by the inflammatory speeches and incendiary teachings of their political leaders, and the peace and safety of the whites were constantly menaced by the presence of armed bodies of infuriated negroes.

QUESTIONS ON CHAPTER XXXVI.

What was shown by the election of 1871? Representation in Congress? Taxes and real estate? Resignation of Governor Alcorn? His successor? Election of Senator Lamar? Republicans in Congress? Report of State Superintendent of Education? Decision of the Democratic Convention of 1873? How was the Republican party divided? "Liberal" nominee for Governor? Nominee of the regular Republican party? Negroes on the ticket? Which wing of the party was elected? Number of Republicans in the Senate? Democrats? Negro members of the Legislature? Result of the election in Mississippi? Race conflicts? What added greatly to the indignation of the whites? Riot at Vicksburg? Remark of Governor Ames concerning it? Feeling among the whites and the better classes of the blacks?

CHAPTER XXXVII.

1875. ♥

1. In 1875, a general convention of tax-payers, without regard to party, met at Jackson to consult as to the best measures to be adopted for the bringing about of a reform in the administration of their State government. A committee was appointed to petition the Legislature in regard to the evils inflicted upon the State by taxation and misappropriation of the public money. They showed that the tax on land, which in 1869 was ten cents on the one hundred dollars, was, in 1871, four times greater than that amount, eight times greater in 1872, twelve and one-half times greater in 1873, and fourteen times greater in 1874, while the assessment of property was greatly above its real value. Bills introduced into the Legislature for the purpose of remedying these evils were defeated by the negro members of the same.

2. In 1875, the Democratic party made a determined effort to break the yoke of misrule and oppression under which the State had been so long laboring. On the 3d of August, 1875, the Democratic Executive Committee met in Jackson, electing General J. Z. George, Chairman. General George was a soldier in the Mexican war, having volunteered as a private in the First Regiment of Mississippi Volunteers, and participating in the battle and glories of Monterey. On his return to Mississippi he studied law and was admitted to the bar of Carroll county. In 1854 he was elected Reporter of the High Court of Errors and Appeals, was re-elected in 1860, and prepared and published ten volumes of the reports of the decisions of that court, and afterward prepared and published a Digest of all the decisions of the

Supreme Court and of the High Court of Errors and Appeals, from the admission of the State into the Union to and including the year 1870. General George was a member of the convention of 1861, which passed the ordinance of secession, voting for and signing that instrument. At the beginning of the war he volunteered his services and was made captain of a company in the Twentieth Regiment of Mississippi Volunteers. He afterward received a commission of Brigadier-General of State troops, but preferring the Confederate service, was made Colonel of the Fifth Regiment of Mississippi cavalry, making an enviable reputation as a soldier and commander.

3. The platform adopted by the memorable convention of August, 1875, was an extremely liberal one. The name, "Democratic-Conservative" party, was assumed, and many who had previously voted with opposition parties enlisted in its ranks. The canvass preceding the election was attended with much violence and bloodshed. A riot occurred at Clinton, between the whites and blacks, in which a number of people were killed, the negroes killing several white men under circumstances of great barbarity.

4. Governor Ames appealed to President Grant for assistance during the excitement of this campaign, asking for United States troops to quell the "domestic disturbances" which were the direct results of the teachings of his party in the South. The President refused, telegraphing that the "public had grown tired of the autumnal outbreaks at the South." Upon failing to receive the expected aid from Washington, Governor Ames undertook to organize a body of militia, composed entirely of colored men, for the avowed purpose of assisting in the preservation of peace. The Democratic State Committee issued an earnest protest against this proceeding, charging the alien Governor with endeavoring to "stir up war between the races."

5. The result of the election was a complete victory for

the Democratic party. The Democratic nominees for Congress were all elected except, one. Mr. Lamar, who had contributed greatly to the success of the campaign by his influence and his eloquence, was triumphantly re-elected from the First District. The State was now entitled to six Congressmen. The Democratic Congressmen from the Second, Third, Fourth, and Fifth Districts were G. Wiley Wells, Hernando D. Money, Otho R. Singleton, and General Charles E. Hooker, known as the "silver-tongued orator of Mississippi." The Republicans elected John R. Lynch, colored, from the Sixth, or "Shoe-string," District.

6. In the State Senate there were twenty-six Democrats to eleven Republicans, and in the House of Representatives there were ninety-seven Democrats to twenty Republicans, the majority of the Democrats on joint ballot of the Legislature being ninety-two. The greatest enthusiasm prevailed throughout the State when the result of the election was made known, and it was realized that the intelligent taxpayers of the State, "native and to the manner born," would now have some voice in the choice of State and county officers. The general joy was manifested by the ringing of bells, firing of cannon, and the marshaling of processions of rejoicing voters. These rejoicings were not confined to the Democratic party alone. Good citizens everywhere, irrespective of color or party ties, were thankful that the long reign of misrule and plunder was over.

7. The Legislature met in January, 1876, and immediately began the work of retrenchment and reform. On the 6th of that month, that distinguished soldier and statesman, General Winfield Scott Featherstone, offered the following resolution:

Resolved, That a committee of five be appointed by the Speaker of the House to inquire into the official conduct of Adelbert Ames, Governor of the State of Mississippi, and to report to the House as early as practicable whether there are good grounds for his impeachment of high crimes and misdemeanors.

This resolution was adopted, and on the 8th of January the committee was appointed, with power to examine persons and papers, and ordered to submit their report, with the testimony taken, to the House of Representatives.

8. General Featherstone was appointed chairman of this committee, which conducted the investigation in the most careful manner, sitting from three to five hours each day for thirty-eight days, examining a large number of witnesses, the majority of whom belonged to the same political party with Governor Ames. At the beginning of the investigation, Ames was informed of the points on which the witnesses were to be examined, and requested to furnish the committee with the names of such witnesses as he might desire to have summoned and examined in vindication of his official conduct. This request was complied with, and the witnesses named by Governor Ames were subjected to the same examination as those summoned by the committee.

9. On the 22d of February, 1876, the investigating committee submitted its report to the House, with the declaration that "its members had endeavored to divest themselves of all partisan feeling and personal prejudices, keeping steadily in view the one great object to be attained, the ascertaining whether the official conduct of Governor Ames had furnished the people of the State with grounds which would justify and demand his impeachment." The report was as follows :

Resolved, That Adelbert Ames, Governor of the State of Mississippi, be impeached for high crimes and misdemeanors in office.

10. On the 24th of February, the House went into secret session in order to continue the reading of the testimony accompanying the report of the committee. This occupied nearly a week's time, and after its conclusion, on the 2d of March, General Featherstone, in behalf of the managers of

the impeachment against Governor Ames, reported twenty-one articles of impeachment as "exhibited by the House of Representatives of the State of Mississippi, in the name of themselves and of the people of the State against Adelbert Ames, Governor of Mississippi, in] maintenance and support of their impeachment against him for high crimes and misdemeanors in office."

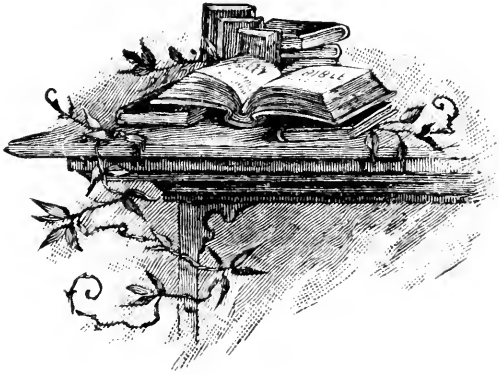
11. The Articles of Impeachment were adopted by the House of Representatives by a majority of sixty-three. The Clerk of the House was instructed to inform the Senate of the passage of this resolution and articles of impeachment, and that body at once began proceedings as a Court of Impeachment. While these proceedings were pending, Governor Ames, in a communication to the House of Representatives, tendered his resignation, on condition that the articles of impeachment be withdrawn. His proposition was promptly accepted; the articles were dismissed by the House and from before the bar of the Senate.

12. The resignation of Governor Ames took effect on the 20th of March, 1876. Hon. John M. Stone, President of the Senate, assumed, by virtue of his office, the duties of the Governor, the Lieutenant-Governor, A. K. Davis, having been impeached by the Legislature.

QUESTIONS ON CHAPTER XXXVII.

What convention met in Jackson in 1875? What committee was appointed to petition the Legislature? What was shown in regard to the tax on land? How were bills introduced into the Legislature defeated? What determined effort was made by the Democratic party? Meeting of the Executive Committee of the Democratic party? Chairman of the committee? Sketch of General George? Platform of the Democratic-Conservative party? The canvass preceding the election? Riot at Clinton? Appeal to the President for assistance? His refusal? Attempt to organize colored troops? Result of the election? Election of Democratic nominees for Congress? Represen-

tative from the "Shoe-string" District? Democratic majority in the State Legislature? Feeling throughout the State regarding the election? How was the general joy manifested? Work of the Legislature? Resolution offered by General Featherstone? Its adoption? Committee of investigation? Witnesses summoned? Report of the investigating committee? Secret session of the House? Its report? Articles of Impeachment against Ames? By what majority were they adopted in the House? Proceedings of the Senate? Resignation of Ames? Who assumed the duties of Governor of the State?



CHAPTER XXXVIII.

1876.

1. Governor Stone entered the service of the Confederacy, as captain of a company of Mississippi volunteers, about the 1st of May, 1861. He was attached to the Second Mississippi regiment, commanded by Colonel W. C. Faulkner, and proceeded to Harper's Ferry, thence with his regiment to Manassas Junction, participating in the great battle of July 21, 1861.

2. On the 16th of April, 1862, the regiment was reorganized at Yorktown, Virginia, and Captain Stone was elected its Colonel. In this capacity he continued to serve until the close of the war, participating in most of the important battles in which the Army of Northern Virginia was engaged; was captured at Salisbury, North Carolina, on the 1st of April, 1865, by General Stoneman's command, and carried to Camp Chase, Ohio, and from thence to Johnson's Island, where he remained a prisoner until the 25th of July of that year. Returning to his home at Iuka, Mississippi, he remained until the general election in 1869, when he was elected to the State Senate for a term of four years. In 1873 he was re-elected, and at the session of 1876 was chosen President of the Senate, and from thence succeeded to the Governor's chair.

3. T. W. Cardozo, colored, Superintendent of Public Education, resigned his office on the 21st of March, 1876, articles of impeachment having been presented against him by the House of Representatives. The Legislature, after a long and laborious session, completed its labors on the 15th of April, and adjourned.

4. The wise and prudent legislation of this session,

together with the spirit of retrenchment and reform that pervaded every department of the State government, restored public confidence to a great extent, the people realizing that a new era in the financial history of the country had begun.

At the beginning of the year 1875, State warrants were worth from seventy-five to eighty-five cents on the dollar. At the close of the session of 1876, these warrants had risen to ninety-five cents, and by the next meeting of the Legislature were worth dollar for dollar.

5. In 1875, the expenditures of the Executive Department of the State were \$33,947.30; for the year 1876 they were \$30,340.69. Those of the Legislative Departments for the same years were, respectively, \$118,624.30 and \$100,854.73, making a decrease for 1876 of \$17,769.66. The total decrease in the disbursement of State warrants in 1876, as compared with the previous year, was \$311,891,855.

6. In 1876, a tax of six and one-half dollars was levied on every thousand dollars' worth of property for State purposes. In 1875 this levy had been forty-two per cent. greater. The practical results of the reform inaugurated by this Legislature were felt immediately by the tax-payers of the State.

7. Up to the 1st day of December, 1876, the State had, since the last meeting of the Legislature, paid the sum of \$137,400 of her bonded debt, and \$41,824 interest on the same, besides canceling certificates of indebtedness to the amount of \$122,504. The total amount of indebtedness of the State at the close of the year 1876 was \$1,100,605.22.

8. The system of public education which had been incorporated with the government of the State was received with great favor by the majority of the people. For the year 1876, the total number of children, of both races, enrolled in the public schools was 166,204. The State universities and

normal schools were reported to be in a flourishing condition.

9. The Exhibition of the United States Centennial opened in Philadelphia, Pennsylvania, on the 10th day of May, 1876. The Legislature of Mississippi, at its last session, had organized the "Centennial Board of Managers," that the State might be creditably represented at the Exhibition. A building was erected at Fairmount Park to serve as headquarters for visitors from Mississippi, which was composed of lumber of sixty-eight varieties of timber grown in two counties in the State, Pike and Lincoln. The limited time and appropriation at the disposal of the Board prevented as full an exhibit of our State products and industries as might have otherwise been made. The first honors were awarded the Mississippi Mills, at Wesson, and the Whitfield Manufacturing Company, at Corinth, for several classes of fabrics on exhibition.

10. In November, 1876, a special election for Congressmen was held. Two Republican Senators, Henry R. Pease, who had been appointed as the successor of General Ames, and B. K. Bruce, appointed March 4, 1875, were representing the State at the National Capital.

11. The members of Congress elected were Henry L. Muldrow, from the First District; Van H. Manning, from the Second; H. D. Money, from the Third; O. R. Singleton, from the Fourth; Charles E. Hooker, from the Fifth, and General James R. Chalmers, from the Sixth.

12. General J. R. Chalmers, Representative of the Sixth District, was a member of a family which had rendered distinguished service to the State and Confederacy, his father, Hon. Joseph W. Chalmers, having been formerly United States Senator from Mississippi, and his brother, Judge H. H. Chalmers, at a later day, Chief Justice of Mississippi. General Chalmers graduated at the South Carolina College, Columbia, South Carolina, in December,

1851. He studied law and was admitted to the bar in 1853, and was elected District Attorney of the Seventh Judicial District of Mississippi in 1858.

He, with his distinguished cousin, David Chalmers Glenn, was elected to the Secession Convention of 1861. General Chalmers was made Chairman of the Committee on Military Affairs in that Convention. He entered the Confederate service as Captain, in March, 1861, and was elected Colonel of the Ninth Mississippi regiment in April, 1861. In February, 1862, he was promoted to the rank of Brigadier-General. At the battle of Shiloh his brigade was noted for the brilliant service performed on the field of action. General Chalmers was ordered by General Bragg to make the last charge on that fateful day, and succeeded in driving the enemy precipitately before him. Just at the moment when his brave Mississippians had secured victory at such a fearful cost, the order to retire was given and the day was lost. In 1863, General Chalmers was transferred to the cavalry service.

His command consisted of the First Division of Forrest's Cavalry Army Corps, composed of Armstrong's, Adams', and Starke's brigades. General Chalmers was a member of the State Senate previous to his election to Congress in 1876.

13. The Legislature, which met in January, 1877, continued the policy of retrenchment and reform adopted by the preceding session. Governor Stone was renominated by the Democratic State Convention, and was elected without opposition for a term of four years. W. H. Sims was elected Lieutenant-Governor; Kinloch Falconer, Secretary of State; Sylvester Gwin, Auditor of Public Accounts; T. C. Catchings, Attorney-General; W. L. Hemingway, Treasurer, and General James A. Smith, Superintendent of Public Education.

14. Governor Stone was inaugurated on the 10th of

January, 1878. His inaugural address was an honest, manly declaration of the principles actuating his official life. The following extract is significant of the time in which it was delivered:

“No problem in politics was ever allotted to any people more difficult than that which the State of Mississippi, in common with her sister States of the South, is now called upon to solve. Can a government, based upon unlimited suffrage, be successfully carried on between two races, the most antagonistic on earth, which, while according equal rights to each, shall tend to the common prosperity and happiness of both? * * * Upon one point all good men will agree: There must be absolute and perfect protection to life, liberty, and property. The government that fails to give this is unworthy of the name. The humblest citizen of the State, no matter how poor or how ignorant, must feel that over his hut the law throws its mantle, and that he who dares to wrong him will feel the vengeance of the law’s ministers. There must be no toleration of wrongs and injuries inflicted upon those who are too weak to defend themselves. It was for the defense of the weak that governments were organized and laws enacted.”

15. Owing to the financial crisis of 1877, great distress prevailed in many quarters of the State. Although public expenditures and taxation had been greatly reduced, the people were still heavily burdened by them, and Governor Stone advised the Legislature to devise means of reducing them to the lowest ebb commensurate with the requirements of a good and economical government.

16. At this session the Legislature paid a fitting tribute to the memory of ex-Governor Charles Clarke, who had lately died at his home in Bolivar county, in December, 1877. At the time of his death he was Chancellor of the district in which he lived.

17. On the 4th of March, 1877, Hon. L. Q. C. Lamar had succeeded General J. L. Alcorn in the Senate of the United States, having been elected for a term of six years.

18. In the summer of 1878, Mississippi was visited by that dreadful scourge, yellow fever, and before the autumn

months had passed, many of the fairest portions of the State had been left desolate by its ravages. The fever raged violently at Memphis and New Orleans, and the refugees from both places scattered it broadcast over our country.

Grenada, at the southern terminus of the Mississippi & Tennessee Railroad, suffered more, in proportion to its size, than either Memphis or New Orleans. Whole families were stricken down in a single day, in many instances not one recovering. The sick were dependent upon the ministrations of hired nurses; the dead were buried hastily, without the usual funeral rites.

19. Most of the towns and cities of Mississippi adopted quarantine regulations during the prevalence of the fever, but the citizens of Holly Springs, with unexampled generosity, threw open their doors to the flying refugees from Grenada and other infected points, thereby imperiling their own lives. Within a short time the fever became epidemic in Holly Springs also, and many of the best and bravest of her citizens fell beneath its ravages. Prominent among these were Colonel H. W. Walter and his three sons, who showed as much true heroism as was ever displayed upon the field of battle.

Colonel Walter was one of the oldest citizens of Holly Springs, was a brilliant and successful lawyer, and a prudent and conservative politician. He was a member of the Whig party as long as that organization lasted, at one time being placed at the head of its ticket for Governor. He was a member of the Secession Convention of 1861, and upon the beginning of hostilities volunteered his services to the Confederacy, and served faithfully as a soldier throughout the entire war. The tragic death of this heroic family, coupled with that of Hon. Kinloch Falconer, Secretary of State, who left his official duties that he might administer to the needs of the sick and dying at Holly Springs, threw a pall of gloom over the entire State.

20. The fever raged with unabated severity in many portions of the State until cold weather, and the lack of victims abated its progress. Effective sanitary regulations were at once adopted to prevent the recurrence of the dreaded plague. A State Board of Health was organized, and other means adopted for the protection of life and health, and the prevention of the spread of contagious diseases.

21. The Congressmen elected in 1878, from Mississippi, were Henry L. Muldrow, Van H. Manning, H. D. Money, O. R. Singleton, Charles E. Hooker, and James R. Chalmers.

QUESTIONS ON CHAPTER XXXVIII.

Give an outline sketch of Governor Stone. What of the resignation of Cardozo? What characterized the legislation of this session? Value of State warrants at the close of 1876? Expenditures of the State in 1875? Practical results of the reform inaugurated in 1876? Total amount of indebtedness of the State at that time? Universities and Normal Schools? Centennial Exhibition? Action of the Legislature thereon? Exhibits from Mississippi? When was a special election for Congressmen held? Members elected? General James R. Chalmers? His services prior to and during the Civil war? Legislature of 1877? State officers elected? Inaugural address of Governor Stone? Give the extract quoted. What of the financial crisis of 1876? Advice of Governor Stone to the State Legislature? Tribute to the memory of ex-Governor Clarke? Successor of General Alcorn in the United States Senate? The yellow fever epidemic of 1878? Quarantine regulations? Fever at Holly Springs? Noble conduct of her citizens? Sketch of Colonel H. W. Walter? How long did the fever continue its ravages in portions of Mississippi? Congressmen from Mississippi in 1878?

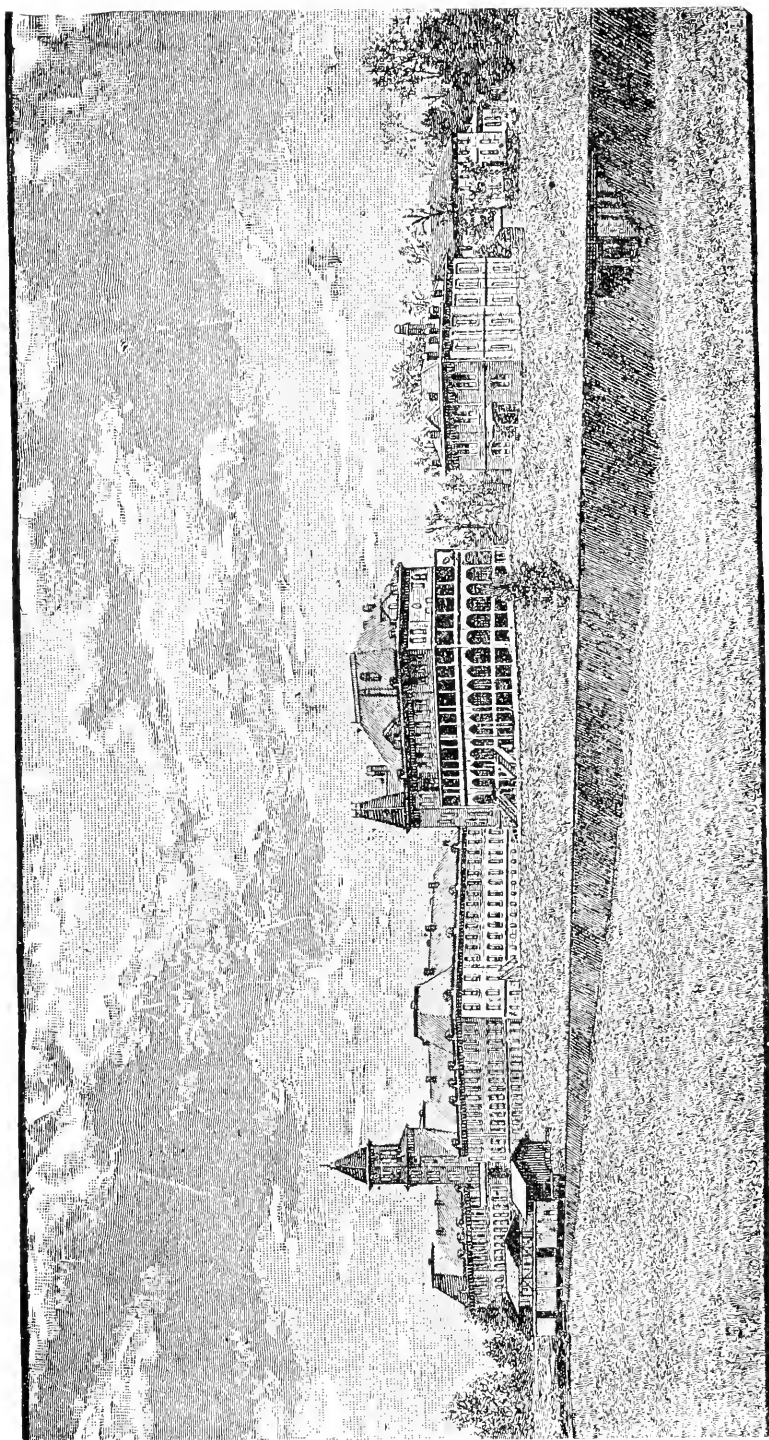
CHAPTER XXXIX.

1880.

1. The bill for the establishment of an "Agricultural and Mechanical College" was passed by the Legislature of 1878, and a Commissioner appointed to select a suitable place for its location. Starkville, in Oktibbeha county, was selected as combining more advantages than any other locality in the State. An appropriation was made by the Legislature for the establishment and maintenance of the college, which is for the endowment of white students only. The tuition was made free, and many of the students are enabled in part to pay their board and other expenses by working on the college farm. All of the students are required to work and to learn practical farming. Military discipline is enforced. General Stephen D. Lee, a graduate of West Point, and one of the bravest and most skillful of Confederate officers during the war, was made president of the college.

2. The cotton crop of Mississippi for 1879-80 was 955,808 bales. The corn crop for the same year amounted to 21,340,800 bushels. The number of manufactories in the State in 1870 amounted to 1,731. In 1880, the number had increased to 2,331, employing 7,845 hands. The principal articles manufactured in the State are lumber, cotton and woolen goods, cotton yarns, cotton-seed oil, agricultural implements, wagons, brick, iron castings, and machinery. The principal factories are situated at Wesson, Natchez, Corinth, Enterprise, Water Valley, Carrollton, Canton, Bay Springs, and Ulmanville, near Bay St. Louis.

3. The United States Government has for sale in this State about 3,500,000 acres of land, and the State Govern-



AGRICULTURAL AND MECHANICAL COLLEGE STARKVILLE.

ment holds about 34,000 acres of the Chickasaw School land and 22,000 acres of internal improvement land. In 1879, about 1,300,000 acres of bottom lands were sold by the Levee Commissioners of Lands, and during the same time about 500,000 acres of Government lands were sold.

4. By the beginning of the year 1880, the public-school system, which had been incorporated with our Government, had taken firm hold of the people of the State. The Legislature of 1882 fixed the State tax at two and a half mills, including the tax to pay principal and interest on the State bonds. January 1, 1882, the State debt was \$324,415, with more than funds enough in the treasury to pay the debt. The bondholders, however, preferred to hold the bonds.

5. On the 3d of March, 1881, General J. Z. George was elected to the United States Senate as the successor of B. K. Bruce. He was elected for a term of six years. On the 4th of March, 1881, James A. Garfield and Chester A. Arthur were inaugurated as President and Vice-President of the United States. The canvass preceding this election was marked by great excitement. In the fall of 1880, Henry L. Muldrow from the First District, Van H. Manning from the Second, H. D. Money from the Third, O. R. Singleton from the Fourth, Chas. E. Hooker from the Fifth, and John R. Lynch from the Sixth, were elected to Congress.

6. Governor Stone's administration drew to a close, with a State united, prosperous, and happy. The Democratic State Convention of 1881 nominated General Robert Lowry as his successor. During the war General Lowry distinguished himself for personal bravery on the field of battle, commanding the Sixth Mississippi regiment at the battle of Shiloh. This regiment suffered a greater loss of men on that bloody field than any other command on either side.

7. The following officers were nominated on the same

ticket with General Lowry : For Lieutenant-Governor, D. G. Shands ; Secretary of State, H. C. Myers ; Treasurer, W. L. Hemingway ; Attorney-General, T. C. Catchings ; Superintendent of Public Education, General J. A. Smith.

8. The summer of 1881 witnessed the tragic conclusion of the life of President Garfield. While standing in a railway station, preparatory to leaving Washington City for the sea-side, in July, 1881, he was shot by an assassin, Charles J. Guiteau, and, after a long and painful illness, died from the effects of the wound. His death was sincerely mourned by the people of the United States, the Southern people sharing, with those of other sections of the country, regret over his untimely death. The assassin feigned insanity to escape punishment, but, after an imprisonment of nearly one year, he was tried and found guilty of murder, and in June, 1882, was executed by hanging.

9. After the death of President Garfield, in September, 1881, Vice-President Chester A. Arthur assumed the duties of President of the United States. President Garfield had been anxious for a thorough restoration of friendly feeling between the people of the North and South, and was very hopeful that it would be accomplished during his administration. His successor entered fully into the spirit of his cherished purposes, and an era of good feeling between the North and South dates from Garfield's death.

10. The Republican party in Mississippi placed no ticket in the field for the election of State officers in 1881. The Greenback party, which had been recently organized and had many adherents, formed a ticket with Benjamin King at its head for Governor. The Democrats, however, swept the State, every officer on the State ticket being elected. Governor Lowry assumed the duties of his office in January, 1882. Ex-Governor Stone retired to private life, carrying with him the love and respect of all classes of the people.

11. The opening months of 1882 were signaled by an

unprecedented overflow of the Mississippi river and its tributaries. From the mouth of the Ohio river to New Orleans, the Mississippi overran the levees and spread its waters over the adjacent lands, carrying ruin and devastation in its track. No previous overflow had been so great in extent or so disastrous in its consequences. The country along the river valley, over which the waters spread, rivals the famous valley of the Nile in productiveness, being made up of layer after layer of fertile soil, the deposit of many centuries. It had well repaid the efforts of agriculturists to cultivate it, and was capable of sustaining a much greater population than really occupied it.

12. It would be impossible to describe the sufferings and losses sustained at this period by the inhabitants of the overflowed districts. Many lives were lost and millions of dollars' worth of property destroyed. Many homeless and starving people were rescued from the submerged plantations by steamers, which penetrated the country for that purpose. Clothes, food, and medicine were provided for the sufferers by the Government and by private subscription, the people of the North and South vying with each other in generosity. The Legislature of Mississippi appropriated fifteen thousand dollars for the relief of the sufferers from the flood. Henry L. Muldrow, James R. Chalmers, E. Jeffords, H. D. Money, Otho R. Singleton, H. S. Van Eaton, and Ethelbert Barksdale were elected to Congress on the 7th of November, 1882, the representation in Congress having been increased from six to seven members.

13. For 1883, the Auditor's report showed the valuation of real and personal property in the State to be \$126,754,927. The assessment for that year showed an increase of \$20,556,227 over the valuation in 1879, when land was last assessed. The expenditures for 1883 amounted, in the aggregate, to \$836,499.90. The State Board of Immigration and Agriculture, through its commissioner, E. G. Wall, had

done much toward developing the resources of the country by its published reports, which, finding their way to the North and West, were the means of inducing a superior class of immigrants to settle in many portions of the State.

14. In June, 1883, the trustees opened the doors of the State University to women, an advanced step which marked the progress of new ideas in the State. This step was recommended by the State Teachers' Association, a body which, meeting annually at the capital of the State, wields an important influence over the educational interests thereof. There was, and still is, a very strong sentiment in the State against the co-education of the sexes, though the plan received the indorsement of many of the ablest and most experienced educators in the State.

15. The Agricultural and Mechanical College at Starkville was, from the first, crowned with a remarkable degree of success in its peculiar field of labor. A very large number of students attend yearly, and during the first three years of its existence the college received from the sale of the surplus produce of its farm and dairy \$7,447.44. The Legislature of 1882 passed an Act for the erection of the "East Mississippi Insane Asylum," and by the month of October, 1883, the building was completed and in successful operation. It was located at Meridian. The same Legislature appropriated a sum for the establishment of an institution for the care and instruction of colored deaf mutes.

QUESTIONS ON CHAPTER XXXIX.

What of the establishment of the "Agricultural and Mechanical College?" Appropriations and requirements for same? Its President? Cotton crop of Mississippi in 1879-80? Corn crop? Other statistics? Government lands? Levee Commissioners? Public-school system in 1880? State tax in 1882? State debt? Who was elected to the Senate of the United States to succeed B. K. Bruce? Presidential election

of 1880? Congressmen from Mississippi in 1880? What of the administration of Governor Stone? Nomination of General Lowry as his successor? Sketch of his life? State officers elected at the same time? Assassination of President Garfield? His murderer? Successor to Garfield? The era of good feeling between the North and South? Did the Republicans place a ticket in the field in Mississippi in 1881? What of the Greenback party? Its nominee for Governor? Success of the Democratic party and inauguration of Governor Lowry? Disastrous overflow of the Mississippi in 1882? Sufferings occasioned thereby? Government aid for the sufferers? Auditor's report for 1883? State Board of Immigration and Agriculture? What advanced step was taken by the Trustees of the State University in 1883. Success of the Agricultural and Mechanical College? Erection of the "East Mississippi Insane Asylum."



CHAPTER XL.

1884.

1. The Legislature of Mississippi, which, since 1878, had met biennially, convened in Jackson on the 8th of January, 1884. The Governor's message recapitulated the rapid progress made by the State in all material advantages since the re-establishment of law and order by the election of home rulers. The census of 1880 had been issued to the public, and showed a marvelous progress in the wealth and industries of Mississippi. All the lands forfeited to the State for taxes had either been redeemed or purchased, except about 700,000 acres.

2. Within the last two years alone 461,873 acres had been purchased, through the Auditor's office, from the State, showing the growing confidence of the people in the State's future. A reduction in the State debt and the rate of taxation and yearly expenditures had also been accomplished, without detriment to the public service or neglect of the different charitable and educational institutions. The older institutions had been liberally sustained and new ones established.

The Legislature of 1884 passed a bill providing for the regulation of freight and passenger rates on railroads in Mississippi, and created a commission to supervise the same, and for other purposes. Ex-Governor Stone was a member of the first Railroad Commission.

3. The prohibition of the sale of intoxicating liquors excited much attention at this time, and the Legislature was memorialized in regard to the movement upon several different occasions. Efforts were also made at different times to ally the prohibition movement with different political parties,

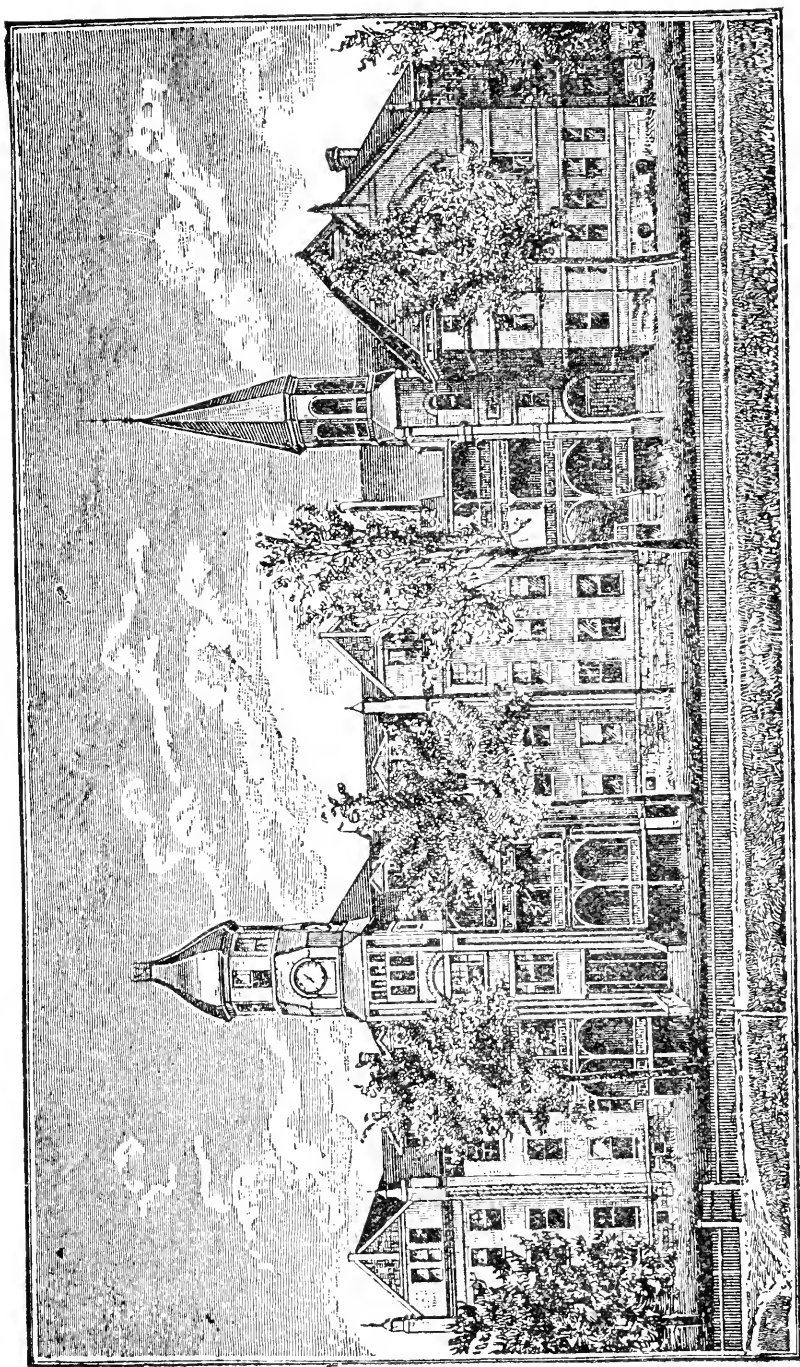
but the leaders in the temperance crusade very wisely held themselves aloof from the entanglements of politics.

4. Hon. J. F. H. Claiborne, the author of "Mississippi as Province, Territory, and State," was invited, during this session of the Legislature, to deliver a eulogy upon the life of his deceased colleague, S. J. Gholson. Mr. Claiborne's own death, which occurred not many months afterward, was a source of deep regret to the people of the entire State, especially as his invaluable labors in behalf of an authentic history of the State were not completed.

After his death, his residence, containing the manuscript for his second volume of the "History of Mississippi," was destroyed by fire, so that his great work must forever remain incomplete. Besides his "History," Mr. Claiborne was the author of several biographical works of acknowledged merit. He was a graduate of the University of Mississippi, and that institution, a short time previous to his death, conferred upon him the degree of LL.D.

5. The Legislature at this session re-elected Mrs. Mary Morancy, the efficient State Librarian, who held the position until 1890. The Law Library of Mississippi, in point of excellence, stands third on the list of those in the United States.

6. The bill for the establishment of an Industrial College for the white girls of Mississippi was passed by this session of the Legislature. The Commissioners appointed for the selection of a suitable locality for the Institute, decided upon Columbus, in the eastern portion of the State. The citizens of that place made very liberal donations to the enterprise. Handsome buildings were erected by the State, efficient instructors in literature and the industrial arts were employed, and the most improved appliances for a thorough and practical education were furnished the Institute. Professor R. W. Jones, of the University of Virginia, was elected President. Dr. Jones was for years connected with



INDUSTRIAL INSTITUTE AND COLLEGE, COLUMBUS, MISS.

the State University, and occupies a foremost place among the leading educators of the land. The plan of this school originated with a Mississippi woman, Mrs. Annie Peyton, of Hazelhurst. Believing in the practical, as well as the higher, education of her sex, Mrs. Peyton labored unceasingly with her pen to arouse public opinion upon this vital question, and her labors were finally crowned with success.

QUESTIONS ON CHAPTER XL.

Meeting of the Legislature in 1884? What of the Governor's Message? The census of 1880? Lands purchased from the State? Reduction in the State debt and public expenditures? What of the different charitable and educational institutions? Creation of the Railroad Commission? What of the Prohibition movement in the State? Death of Hon. J. F. H. Claiborne? His "History of Mississippi?" Election of Mrs. Morancy as State Librarian? Bill for the establishment of an Industrial Institute for the white girls of Mississippi? Location of the Industrial Institute and College? Its first President? With whom did the plan of this school originate?



CHAPTER XLI.

1884-1885.

1. In the summer of 1884, the National Democratic Convention met at Chicago and nominated for the offices of President and Vice-President of the United States, Grover Cleveland, of New York, and Thomas A. Hendricks, of Indiana. The Republican National Convention nominated for the same high offices, James G. Blaine, formerly Secretary of State under President Garfield, and General John A. Logan, of Illinois.

2. The canvass preceding the election was a very exciting one, and partisan feeling rose to a very high pitch. The result of the election showed that the Democrats had gained a brilliant victory, and for the first time in twenty-five years they were enabled to elect the President of the United States.

3. In December, 1884, the "World's Industrial and Cotton Centennial Exposition" was opened at New Orleans. It was conducted under the auspices of the United States, the National Cotton Planters' Association of America, and the City of New Orleans. Mr. F. S. Morehead, President of the National Cotton Planters' Association and editor of the *Planters' Journal*, published at Vicksburg, was one of the leaders in the inauguration of this great enterprise.

4. A liberal appropriation was made by the Legislature of Mississippi for the representation of the State at the exhibition. Commissioners were appointed to preside over the various departments, and the result was a display of the productions of Mississippi that was highly gratifying to State pride. "Mississippi Day" was observed during the continuance of the Exposition with appropriate ceremonies.

Addresses were delivered by the Governor and Lieutenant-Governor of the State in the presence of thousands of her own citizens and those of other States.

5. The members of Congress elected from Mississippi on the 4th of November, 1884, were John M. Allen, James B. Morgan, Thomas C. Catchings, F. G. Barry, O. R. Singleton, H. S. Van Eaton, and Ethelbert Barksdale. Major Barksdale had long been prominently identified with the public interests of the State by his editorial connection with its leading newspapers, first the *Mississippian* and afterward the *Clarion*, both published at Jackson. The *Clarion*, for a long time the organ of the State administration, is one of the most vigorous and successful papers in the South. The present editor, Colonel J. L. Power, is widely known for his philanthropy and public spirit.

6. On the 4th of March, Grover Cleveland was inaugurated President of the United States of America. In the selection of his Cabinet, L. Q. C. Lamar, then representing Mississippi in the Senate of the United States, was placed at the head of the Department of the Interior.

The death of Hon. Jacob Thompson, who had been Secretary of the Interior during Buchanan's administration, occurred in the spring of 1885.

7. On the 4th of March, 1885, General E. C. Walthall succeeded Mr. Lamar in the Senate of the United States. General Walthall, as an officer of rare bravery and ability, had served the varying fortunes of the Confederacy throughout the entire four years of the war. At the battle of Fishing creek, on the 10th of January, 1862, as Lieutenant-Colonel of the Fifteenth Mississippi regiment, he achieved an enviable reputation. The brave Fifteenth, with a Tennessee regiment, led the attack on the enemy, driving them again and again from their entrenchments. Out of four hundred men engaged in this battle, Colonel Walthall's regiment lost two hundred and twenty-four. In 1862, he was elected

Colonel of the Twenty-ninth regiment, and was afterward promoted for gallantry of conduct, holding at the close of the war the rank of Major-General.

8. On the 23d of July, 1885, General U. S. Grant died at Mt. McGregor, New York.

The Democratic State Convention met in Jackson on the 19th of August, 1885.

Great unanimity prevailed among the members of this convention. Governor Lowry and Lieutenant-Governor Shands were renominated by acclamation. Governor Shands, although a young man, has gained an enviable distinction as a statesman and patriotic citizen, and doubtless the future annals of the State will be adorned with his name and achievements. George M. Govan was nominated for the office of Secretary of State ; W. L. Hemingway, for Treasurer ; W. W. Stone, Auditor ; T. Marshall Miller, Attorney-General, and J. R. Preston, Superintendent of Public Instruction.

9. The platform of the Democratic Conservative Convention of 1877 and 1881 was reaffirmed by this Convention. Its declaration of principles is as follows :

First: Fidelity to the Constitution of the United States.

Second: Home rule and the preservation of the State Governments, with all their reserved and guaranteed rights unimpaired.

Third: No interference by the military power with the freedom of elections, and with the civil and political rights of citizens of the United States.

Fourth: The protection of the equal rights of all classes and the prompt, vigorous, and impartial administration of the criminal laws, and to this end we exhort judges, peace officers and jurors—grand and petit—to vigilance, fidelity, and promptness.

Fifth: No discrimination on account of race, color, or previous condition of servitude or birth-place, and no special

legislation for the benefit of the few at the expense of the many.

Sixth: A strict adherence in the selection of public agents to the time-honored Jeffersonian standard, "Is he honest, is he capable, is he true to the Constitution?"

Seventh: A continuation of the policy of retrenchment and reform so signally inaugurated by the Democratic party.

Eighth: Reduction of the burthen of taxation to the lowest point compatible with an efficient execution of the law.

Ninth: Corporations of every description supervisable, within constitutional limits, by State authority and subordinate to State legislation, in the interest and for the protection of the people.

Tenth: As the perpetuity of free government depends upon the virtue and intelligence of the people, we pledge ourselves to the maintenance of our State system of free schools.

Eleventh: We favor the granting of such aid as may be extended without violation of the Constitution of the United States, or departing from the established usages of the Government, to the rebuilding and keeping in repair of the levees of the Mississippi river.

Twelfth: That upon this platform of principles and of public policy, we invite the co-operation of all citizens, without regard to past differences, in support of the candidates nominated by this Convention.

Thirteenth: That we declare it to be the policy of the Democratic-Conservative party to encourage the flow of immigration to this State, and recommend the passage of all needful laws and the making of all necessary appropriations to effect this end.

Fourteenth: That we invite the investment of capital, and assure it all necessary legal protection.

10. The Republican Executive Committee met in Jackson

this year, but in view of the entire unanimity among members of the Democratic party, decided to place no ticket in the field. The platform of the State Convention was adopted by the county conventions of the Democratic party, and in November, 1885, the party gained a sweeping victory, electing the entire ticket, nearly all the members of the Legislature, and, with very few exceptions, the county officers. The election passed off quietly, peace and order prevailing at the polls.

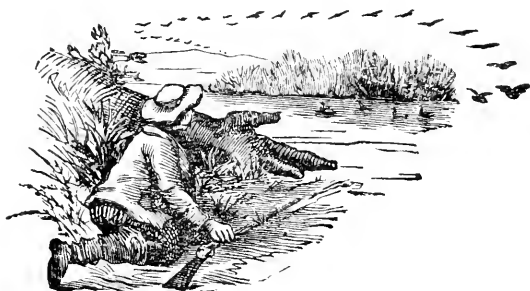
11. The opening of the Industrial Institute and College for girls occurred in the fall of 1885, marking an era in the history of education for women in Mississippi. Over three hundred girls entered the school at the beginning of the first session.

12. Thursday, the 26th of November, 1885, was very generally observed in Mississippi as a National Thanksgiving Day, in accordance with proclamations issued both by the President of the United States and the Governors of the States. In the midst of the general rejoicing in all portions of the Union, the sad intelligence of the death of Vice-President Hendricks, at his home in Indianapolis, flashed over the wires. His death was sudden and unexpected. He was buried in Indianapolis with fitting honors.

QUESTIONS ON CHAPTER XLI.

Where did the National Democratic Convention of Mississippi meet in 1884? Its nominees? The Republican Convention of the same year and its nominees? Results of the election? What of the World's Industrial and Cotton Centennial Exposition of this year? Appropriation by the Legislature of Mississippi? Members of Congress from Mississippi elected this year? Major Barksdale? The *Clarion*? Colonel J. L. Power? Inauguration of President Cleveland? To what place in his Cabinet was Mr. Lamar elected? Death of Jacob Thompson? Who was Lamar's successor in the United States Senate?

Sketch of General Walthall? When did the death of General U. S. Grant occur? Meeting of the Democratic State Convention? Re-nomination of Governor Lowry? Lieutenant-Governor Shands? Other State officers? What platform was re-adopted by this Convention? Give the main points in its declaration of principles? Why did the Republicans decide to put no ticket in the field this year? Opening of the Industrial Institute and College? What does it mark in the history of the State? Death of Vice-President Hendricks?



CHAPTER XLII.

1886-1887.

1. The Legislature of Mississippi met in January, 1886. The most important enactments of this session were changes made in the existing School Law and the adoption of a Local Option Law, compelling each county to decide by a popular vote whether or not the sale of intoxicating liquors, as a beverage, should be prohibited.

The adoption of the Local Option Law and its subsequent enforcement in many counties of the State have given very general satisfaction.

The Woman's Christian Temperance Union of Mississippi, a branch of the National W. C. T. U., organized by Miss Frances E. Willard, held its first annual convention in September, 1886, in the Hall of Representatives, State House, Jackson.

2. The agitation of the "Convict Lease System," about this time, resulted in the awakening of public opinion to a sense of the enormities practiced upon the unfortunate criminals condemned to undergo penal servitude.

3. The Public School System of Mississippi is unsurpassed by that of any other State in the Union. Some of its essential features are: A Superintendent of Public Education, who is elected at the same time and in the same manner as the Governor of the State. Holding his office four years, he has the general supervision of the common schools and the educational interests of the State. A State Board of Education consists of the Secretary of State, the Attorney-General, and the Superintendent of Public Education.

4. A Superintendent of Public Education in each county is appointed by the State Board of Education, by and with the

consent of the Senate, for a term of two years. A public school or schools must be maintained in each school district for at least four months in each year. Each school district must contain twelve square miles and forty-five educable children. Institutes for the improvement of teachers, under the direction of the State Superintendent, must be held monthly in each district.

5. The Common School Fund arises from the proceeds of lands belonging to the State, lands forfeited for taxes, the proceeds of all fines collected for any breach of the penal laws, and all moneys received for licenses granted under the laws of the State for the sale of intoxicating liquors, for all moneys paid as an exemption from military duties, all funds arising from the consolidation of the Congressional township funds, and the lands belonging thereto, together with all moneys donated for school purposes.

The leasing of the "sixteenth section school lands," and the interest of the "Chickasaw" school fund, form an important part of the amount distributed each year to the common schools of the State. The Chickasaw school fund, however, is distributed only in the Chickasaw counties. An incorporated town of seven hundred and fifty or more inhabitants constitutes a separate school district.

6. The law requires that the funds for the support of the common schools shall be collected in the legal currency of the United States and paid into the treasury, to be distributed *pro rata* among the educable children of the State. The Legislature is also empowered to levy a poll tax, not exceeding two dollars a head, in aid of the school fund. All children between the ages of five and twenty-one years are entitled to the benefit of the public schools.

7. The autumn of 1887 found the people of Mississippi in a prosperous condition, evidenced by the rapid development of the resources of every section of the State. The labor system was each year becoming more adapted to the condi-

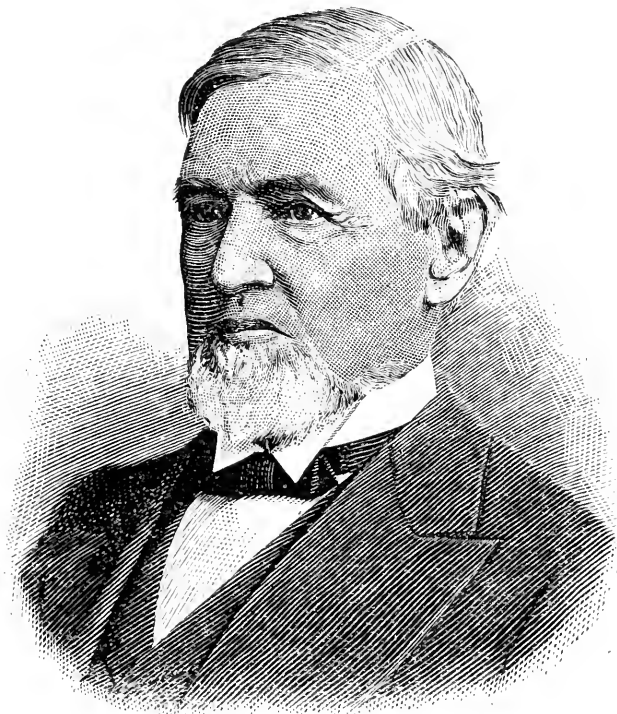
tions existing in the State ; the crops were more diversified ; stock-raising and kindred pursuits were assuming prominent importance in the agricultural world, and lands which had heretofore found only limited sale, were now attracting attention on account of their timber and agricultural value. Seekers for new homes were attracted by the fine resources of the State, and capital poured in from every direction.

8. The credit of the State improved rapidly, and evidences of prosperity and improvement were seen on every hand. The negroes of the State, contented and happy, showed no disposition to leave the good old cotton State, the land which had given them birth and which repaid their efforts in such generous proportions.

9. In October, 1887, the enthusiasm of the people of the South was aroused in an unparalleled manner by a visit from President Cleveland, his wife, and members of his Cabinet. Though Mississippi had not the honor of receiving them on her own soil, a large number of her citizens participated in the welcome accorded them by other States. The President and party reached Memphis, Tennessee, on the 14th of October, 1887, and on the following day, October 15th, an event occurred which cast a gloom over the Presidential party, over the assembled thousands, and particularly over the hearts of all Mississippians present. This was the sudden death of Judge Henry T. Ellett, formerly a citizen of Mississippi, and endeared to her people by a thousand ties. He died while in the act of delivering, in behalf of the people of the South, a most eloquent address of welcome to the President of the United States.

10. Henry T. Ellett was born in New Jersey, and graduated with distinction from Princeton, in that State. After having obtained license to practice law, he removed to Mississippi, where he spent the best years of his life. He was the contemporary of Sharkey, Prentiss, Clarke, and Quitman, and during his long and eventful life represented

Mississippi in the State Senate, on the Supreme Bench, and in the Congress of the United States. At the commencement of the Civil war he was offered a seat in the Confederate Cabinet by President Davis, but, preferring private life, declined. At the close of the war, being unwilling to



JUDGE HENRY T. ELLETT.

take the infamous "Test Oath" required by the military governor of Mississippi, he removed to Memphis, Tennessee, where he spent the remainder of an honored and useful life. At the time of his death he was Chancellor of the district in which he lived. Public meetings were held in every portion of Mississippi, expressing sorrow at the death of Judge Ellett and passing resolutions of respect to his memory.

II. While Mr. Cleveland was making his triumphal tour over this great country, Jefferson Davis, ex-President of the Confederacy, was revisiting some of the scenes of his

former triumphs. At the request of Confederate veterans, he attended a review at Macon, Georgia, on the 26th of October, 1887. As this was probably the last appearance of the "Sage of Beauvoir," the following account of the remarkable scene that transpired is copied from the telegraphic reports :

12. "The especial feature of the celebration at Macon was the review of Confederate veterans by their old President. Mr. Davis, with his family and a number of distinguished Georgians, was sitting on a porch overlooking the vast grounds at Mulberry Hill when the procession wheeled into the front carriage gate, intending to pass close by Mr. Davis and out at the rear gate, but the crowd had soon swarmed over the fence and filled the entire front lawn completely full. Every man was struggling to push nearer to the porch, and every voice was straining to be heard above every other voice, shouting, 'Hurrah for Jeff. Davis!' The arrangements that had been made for reviewing the veterans could not be carried out. What the crowd wanted to see was Jeff. Davis himself, touch him, if possible, and prostrate itself at his feet. The old veterans broke ranks and began climbing upon the porch. The policemen tried to pull them down, but they shouted that 'all the policemen in Georgia could not keep them from shaking hands with Jeff. Davis.' "

13. Mr. Davis, whose seventy-nine years have left him in a very feeble state, made desperate efforts to shake hands over the porch railing with everybody whom he could reach. Long-haired, unkempt veterans crawled right up on the shoulders of the men in front of them, regardless of everything but their purpose of shaking hands with Jeff. Davis. But the enthusiasm was at its height when somebody handed the ragged battle-flag of the Third Georgia regiment over the heads of the crowd. Mr. Davis grasped the tatters of the flag and pressed them to his lips. This was the

signal for the most violent breaking forth. The air was full of such expressions as "God bless Jeff. Davis," "God bless the old flag," and kindred sentiments. The old Confederate President waved the battle-torn sign over the heads of the people, who applauded madly and cried like so many children. When the flag was handed back to the multitude, the men snatched all the available tatters and pressed them warmly to their lips.

Soon Mr. Davis arose, and, facing the people, said: "Friends and brothers, I am like that old flag, tattered and torn by storms and years. I love it for its own sake and for yours. I love it as a memento of what your fathers did, and what they hoped you would do." This leave-taking of an honored chief by the men who fought and bled for the "Lost Cause" has no parallel in history. Jefferson Davis embracing the tattered flag that had so often led onward to victory, was dearer to the hearts of his countrymen than when he stood at the head of the proud Confederacy.

No Mississippian can contemplate without emotion the
LAST FAREWELL OF JEFFERSON DAVIS.

QUESTIONS ON CHAPTER XLII.

What were the most important enactments of the Legislature of 1886? What of the Local Option Law? The Woman's Christian Temperance Union? The agitation of the "Convict-Lease system?" The Public School system of the State? What of the State Board of Education? County Superintendents? School districts? The Common School fund? The "Sixteenth Section" and the "Chickasaw School fund?" Separate School Districts? Collection of Common School funds? Close of the year 1887? The labor system of the State? Immigration to the State? The credit of the State? The Negroes? What of President Cleveland's visit to the South in 1887? His reception in Memphis? Sudden death of Judge Henry T. Ellett? Sketch of his life? What of the travels of Mr. Davis through some of the Southern States? The review at Macon, Georgia? Especial features of the celebration? Describe the scene that ensued as the Confederate veterans caught sight of Jefferson Davis.

CHAPTER XLIII.

1888-1890.

1. By the year 1888, that large and respectable association, known as the "Farmers' Alliance," had assumed immense proportions, for with all that had hitherto been done for them by the State, there was still a feeling of dissatisfaction among the farmers of Mississippi, the class that constitutes the very bone and sinew of our State. County and neighborhood alliances sprang into existence all over the State. The Alliance of Mississippi, as a body, eschews politics, and has thus far affiliated harmoniously with the Democratic party.

2. In 1888 began the great political campaign in which the election of a President of our great nation was involved. The administration of Mr. Cleveland, the first Democratic President since the war, had been eminently satisfactory to his own party, and, indeed, to the country at large, with the exception, of course, of disappointed politicians. His entire administration was in consonance with the memorable words in which he summed up his opinion, "Public office is a public trust."

3. During the summer of 1888, the Democrats re-nominated President Grover Cleveland to be his own successor, placing with him on the ticket, for the office of Vice-President, that time-honored veteran, Allen G. Thurman, of Ohio. The candidates for the Republican party were: For President, Benjamin Harrison, of Indiana, a grandson of William Henry Harrison, a former President of the United States; for Vice-President, Levi P. Morton, of New York. The chief issue in this campaign was the "tariff," and it has been called the "educational campaign," from the fact that

the American people had been taught to consider the great questions affecting their welfare, as wages, profits, consumption, exchange, and other subjects, in which the inhabitants of a great industrial and commercial nation held vital interests.

4. The party of which Mr. Cleveland was the exponent took the position that the tariff was a tax, and that the accumulation of a surplus of money in the Government treasury was evidence that the people were being unnecessarily taxed, and that a reduction of the tariff was best for the business interests of the country. The Republican party opposed any reduction that would interfere with the protective features of the existing tariff. The election in November demonstrated the fact that the friends of protection had greatly increased in numbers and were more widely distributed than when the tariff first became a vital issue in politics. Harrison and Morton were elected.

5. During the first years of Mr. Harrison's administration a number of occurrences worthy of mention transpired. Four new States were admitted to the Union. These were North and South Dakota, Washington, and Montana, all in the far North-west. The "Samoan Controversy," which was settled creditably to the United States, and the opening of Oklahoma in the United States, occurred in 1889. On the 30th of April, in that year, the one hundredth anniversary of Washington's inauguration as President was celebrated in New York, with great pomp and ceremony. In the same year, that terrible disaster, known as the "Johnstown Flood," occurred. In this terrible disaster, thousands of lives and millions of dollars' worth of property were destroyed.

6. In December, 1889, an event occurred that threw a cloud of sorrow over the entire South, and especially over the people of Mississippi. This was the death of Jefferson Davis ex-President of the Confederacy, the melancholy

event occurring in New Orleans on the 6th of December, 1889. Although the death of one at such an advanced age was not unexpected, the intelligence sent a thrill of pain to every Southern heart. The funeral services, which occurred on the 11th of December, were very imposing, every State in the South, perhaps, sending representative citizens to witness the solemn and impressive ceremonies attendant on the funeral of the dead chieftian of the "Lost Cause."

In nearly every town and hamlet in Mississippi funeral ceremonies were held on the same day, and the sobs and sighs of the attendant audiences testified to the love borne by a whole people for their dead leader. It was hoped that the body of Jefferson Davis would find a permanent resting-place in the soil of Mississippi, the State which had conferred upon him the highest honors within the gift of a grateful people. Richmond, Virginia, however, having been selected by the family of Mr. Davis as the most suitable place, in their opinion, for his tomb, the people of Mississippi must be content to have his memory entombed within their heart of hearts.

7. In 1887, General James Z. George was re-elected to the United States Senate, his term of six years having just expired. General E. C. Walthall, in 1885, was appointed by Governor Lowry to succeed Senator L. Q. C. Lamar, who had been first appointed Secretary of the Interior in President Cleveland's Cabinet, and afterward as Associate Justice on the Supreme Bench of the United States.

The appointment of General Walthall was ratified by the Legislature, and he was, at the same session, unanimously elected to fill out the unexpired term of Senator Lamar. In January, 1888, General Walthall was re-elected by the Legislature for the full term of six years.

8. As has been said, Mississippi has the most efficient Public School Law of any State in the Union. Under the present Superintendent of Public Education, Hon. J. R.

Preston, there has been a remarkable improvement in the educational system of the State. There has been not only a marked increase in the enrollment of pupils and in the number of schools, but the entire educational interests of the State have been lifted to a higher plane, with new life and vigor infused therein. Mr. Preston is, in every sense of the word, a benefactor to both races residing in Mississippi.

9. In 1888-89, there were in Mississippi thirty-four separate school districts, and the number of educable children therein, of both races, was 35,151, of which number 18,714 were whites and 16,437 colored. There were 382 teachers employed in separate school districts, of which 233 were white, with average salaries of \$51.84, and 149 colored, with average salaries of \$31.73. Eight hundred and twenty-six school houses were built in 1888-89, the amount expended for the same approximating over \$300,000. During those two years there were erected in the principal towns in the State new, commodious, and beautiful buildings, at an aggregate cost of \$190,000.

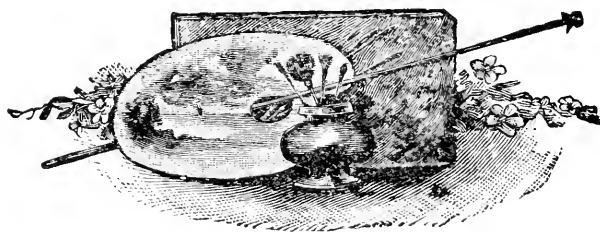
10. With Mr. Preston's administration of school affairs a new arm of the educational service was added, in the form of Monthly Institutes, in which teachers may study and qualify themselves for more efficient work in the school-room.

In November, 1889, the election for Governor and other State officers took place. After an administration of eight years, Governor Lowry retired from office, and was succeeded by Governor John M. Stone, a former incumbent of the office and a fit representative of the masses of the people who elected him. His inauguration took place January 1, 1890.

QUESTIONS ON CHAPTER XLIII.

What of the organization and growth of the Farmers' Alliance? County and neighborhood Alliances? The State Alliance? Presidential

campaign of 1888? Democratic administration? Motto of Mr. Cleveland? Renomination of Mr. Cleveland? Nominee for Vice-President on the same ticket? Candidates of the Republican party? What was the principal issue of this campaign? Why called the educational campaign? What position did the Democratic party take on the tariff? Of the Republicans? Which party was successful? First years of Mr. Harrison's administration? What four new States were admitted into the Union about this time? What of the "Samoan Controversy?" The opening up of Oklahoma? The centennial of Washington's inauguration? The Johnstown flood? When and where did the death of Jefferson Davis occur? What of the funeral services? How was the melancholy event observed in Mississippi? What place has been chosen as the final burial place of Jefferson Davis? Re-election of Senator George? Who was elected to fill out the unexpired term of Senator Lamar? When was General Walthall elected for the full term of six years? What of the present School Law of Mississippi? Hon. J. R. Preston? Some school statistics of 1888-89? Monthly Institutes? What of the election of 1889? Inauguration of Governor Stone?



CHAPTER XLIV.

1. The State of Mississippi extends three hundred and thirty-one miles north and south, by one hundred and eighteen miles east and west. It contains 46,810 square miles. Its general surface is undulating, or hilly, with the highest ridges in the extreme north-east. There are four nearly level regions: The Mississippi or Yazoo bottom in the north-west; the north-east prairie region, stretching along the Alabama State line; the central prairie region, extending south of east from Vicksburg; the coast plain, about forty miles wide, in the south-east. The water-shed between the waters flowing directly into the Gulf of Mexico, or Lake Pontchartrain, and those flowing into the Mississippi river, conforms nearly with the diagonal of the State from north-east to south-west.

2. The Mississippi river forms the western boundary of the State, winding through a course of five hundred and fourteen miles, or about half that distance in a straight line. The Mississippi valley lies below the high-water mark, and has to be protected from inundation, in times of floods, by embankments or levees built along its banks. When the pressure of the water creates a gap in the levee, the waters rush through with great violence, carrying everything before them, and sometimes giving the inhabitants barely time to escape with their lives. When these waters spread out over the bottom lands and lose their rapid currents, the mud with which they are charged is deposited upon the lands as a coating of rich alluvium. Repeated deposits of this kind have formed a large portion of the bottom soil.

3. The Yazoo river is the principal tributary of the Mississippi within the State, draining about two-sevenths of

its area, or 13,850 square miles. It rises in the northern part of the State, its head-waters being Coldwater, Tallahatchie, and Yalobusha rivers. Sunflower river is a western tributary of the Yazoo, and traverses Sunflower, Washington, and Sharkey counties.

4. Big Black river and Bayou Pierre, collectively, drain about one-seventh of the State (sixty-seven hundred square miles). The former is navigable for sixty miles above its mouth, the latter to Port Gibson. Tennessee river borders the north-eastern corner of the State for about ten miles. It is navigable, and drains but four hundred and fifty square miles of the State.

5. Tombigbee, Pascagoula, and Pearl rivers drain almost one-half the State to the Gulf of Mexico. The Tombigbee is navigable to Columbus, and at some seasons to Aberdeen. The Pascagoula and its tributaries are used to float logs down to the saw-mills. The Pearl is a long but shallow river.

6. *The Lakes*: The washing away of the neck in a bend of the Mississippi river forms a "cut-off," which soon becomes the channel of the river. The entrances to the old bed gradually fill up, thus forming one of the many crescent-shaped lakes found in the bottom plain.

These lakes are nothing but portions of the old river-bed, though sometimes miles away from the present channel, and they show how often the shifting of a channel has occurred in the past.

7. The sea-coast of Mississippi is but eighty miles in extent, and is fringed about ten miles from the shoals with a chain of low, sandy islands. The sheet of water thus enclosed is called Mississippi Sound, which affords a safe anchorage for large sea-going vessels, especially inside of Ship Island, while the bays at the mouth of the larger rivers form harbors for smaller vessels engaged in the coasting and lumber trade.

8. *Climate*: The climate is mild and generally healthful; snow seldom lies on the ground more than a few days in winter, while the summers, though long, are not oppressively hot. The mean annual temperature varies from sixty-three degrees in the north, to seventy degrees in the south. The rainfall is very abundant, ranging from forty-six inches in the north, to sixty-six inches in the south. About two-thirds of the amount of rain falls in the spring and winter. The prevailing winds are from the south and south-west. In winter, cold winds from the north-west are not infrequent in the Mississippi bottom.

9. *Vegetation*: Aside from the limited prairie belts, the State is wholly a forest country. In the northern half the predominating trees are oaks of various kinds. The sandy ridges are occupied by blackjack and post-oaks and short-leaf pine, the latter yielding the chief supply of timber for building purposes. Where the soil is fertile, the walnut and tulip trees are found.

10. Valuable forests of long-leaf pine cover the southern half of the State. These forests yield immense quantities of lumber, ship timber, and turpentine. The river bottoms throughout the State bear lowland oaks, hickory, gum, ash, tulip tree, and in the southern part magnolia. The swamps are occupied by a dense growth of cypress and tupelo. On the banks of the Mississippi are great numbers of cottonwood and willow trees.

11. Cotton, corn, and sweet potatoes have long been the staple agricultural productions, the first being produced for export and the others for home consumption.

Wheat, oats, peas, beans, sorghum, tobacco, and potatoes are also produced, and of late, attention has been paid to hay and grass crops. In the southern part of the State, rice and sugar-cane are grown. Mississippi raises more cotton than any other State in the Union—usually more than one-sixth of the entire crop. Most of the cotton is raised in the

northern half of the State, especially along the Mississippi river and in the valley of the Tombigbee. The manufacture of cotton-seed oil is a growing industry and adds greatly to the value of the cotton crop. Large quantities of pine lumber, turpentine, rosin, and tar are manufactured in the southern part of the State.

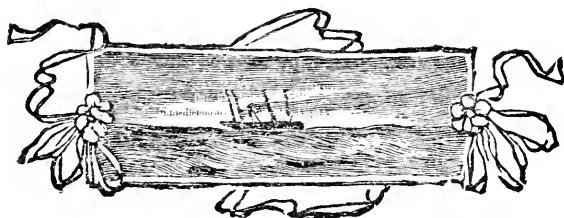
12. Fruit trees thrive well in Mississippi. Apples, peaches, pears, plums, apricots, grapes, berries, and melons are raised in the northern, and oranges, lemons, and other semi-tropical fruits in the southern part. Stock is raised for home use, the pine forests of the south affording a fine pasturage and sheep range. Lignite, or brown coal, is found in Northern Mississippi, and affords fuel adapted to ordinary demands. Excellent limestone for building, or making lime and cement, occurs in the north-east, where valuable marls for fertilizers are found. Mineral springs of various kinds are very abundant.

13. The most important of the manufacturing industries is the making of cotton cloth and the sawing of lumber. Much lumber is exported to South America, Europe, and the West Indies, from the long-leaf pine regions. Cotton and lumber are the chief commodities which Mississippi contributes to the world's commerce. In return she receives food supplies and manufactures. Two thousand miles of railroad and the navigable rivers by which the State is traversed or bordered, facilitate the exchange.

QUESTIONS ON CHAPTER XLIV.

Situation of Mississippi by length and breadth? Number of square miles? Its general surface? The four regions? Its western boundary? Levees of the river? Overflows? Formation of alluvial soil? The Yazoo river? Big Black and Bayou Pierre? The Tennessee river? Tombigbee, Pascagoula, and Pearl rivers? What of the lakes? Describe the sea-coast of Mississippi. Mississippi Sound? Climate

of the State? Vegetation? Long-leaf pines? Growth of the river-bottom countries? What are the staple agricultural productions of the State? Cotton? Best cotton-producing portion? Cotton-seed oil? What does the southern portion of the State produce in large quantities? Fruit trees? Stock? Lignite? Limestone? Mineral springs? What are the most important manufacturing industries? Chief exports? Imports?



CHAPTER XLV.

1890-1892.

1. By the census of 1890, Mississippi had a population of 1,289,600, an increase over that of 1880 of 158,003, or 13.96 per cent. Since 1880, Pearl River county has been organized from parts of Hancock and Marion counties. The name of Sumner county has been changed to Webster. Of the seventy-five counties in the State, eleven show decreases. These seventy-five counties average six hundred and twenty-eight square miles each in area. Each county is divided into five supervisors' districts, and these may be sub-divided into election precincts. A sheriff, coroner, treasurer, assessor, and surveyor are elected in each county every two years.

2. *Position*: At the close of the Revolution, in 1783, England ceded to Spain the territory south, and to the United States the territory north, of thirty-one degrees of latitude. In 1798, the region bounded by the Mississippi, the Chattahoochee, the parallel of thirty-one degrees, and a line drawn east from the mouth of the Yazoo, was organized as Mississippi Territory. In 1804, its limits were extended northward to the Tennessee State line, and, in 1812, southward, between Pearl and Perdido rivers, to the coast.

3. In 1868, a Constitutional Convention met in the city of Jackson and adopted a Constitution, which was ratified by the people in December, 1869. Some of its most important provisions are as follows: No person shall be deprived of life, liberty, or property except by due process of law. The freedom of speech and of the press shall be held sacred, and in all indictments for libel the jury shall determine the law and the facts under the direction of the court. The writ of *habeas corpus* shall not be suspended. The

right of trial by jury shall remain inviolate. Slavery is forever prohibited. There shall be no imprisonment for debt. The people shall have the right to keep and bear arms.

4. In all criminal prosecutions the accused shall have a right to be heard. Cruel or unusual punishment shall not be inflicted, nor shall excessive fines be imposed. No property qualification for eligibility to office shall ever be required. The right to withdraw from the Federal Union, on account of any real or supposed grievance, shall never be assumed. The military shall be in strict subordination to the civil power. Dueling is prohibited. Rights of married women protected. The limits and boundaries of the State must remain as established by law.

5. *Elective Franchise*: All elections by the people shall be by ballot. All male inhabitants of the State, except idiots and insane persons and Indians not taxed, citizens of the United States, or naturalized, twenty-one years old and upward, who have resided in the State six months and in the county one month next preceding the day of election, duly registered and not disqualified by crime, are declared to be qualified electors.

6. *Legislative Power*: The legislative power is vested in the Legislature, which consists of two houses, the Senate and the House of Representatives. The number of Senators is apportioned according to the number of qualified electors in the several districts; must never be less than one-fourth, nor more than one-third, of the whole number of Representatives. The number of Representatives shall be apportioned among the several counties, or districts, according to the number of qualified electors in each, and shall not be less than one hundred, nor more than one hundred and twenty. The members of the House of Representatives are elected every two years, those of the Senate every four years.

7. The sessions of the Legislature are biennial, beginning

on the first Tuesday in January. The Senate is presided over by a president, and the House of Representatives by a speaker, elected from the members. The *Legislature* has the sole power of making laws. Every bill, before it becomes a law, must be read on three different days in each house, and then receive a majority vote of the members and be approved by the Governor. In case the Governor *veto*es or disapproves a bill, it requires a two-thirds vote to make it a law. Members of the Legislature receive four hundred dollars compensation for attendance on each regular session, with ten cents mileage.

8. *Executive Power*: The officers of the Executive Department are the Governor, Lieutenant-Governor, Secretary of State, Attorney-General, and Treasurer. The Executive power is vested in the Governor, elected every four years, with a salary of \$4,000. He must be thirty years of age, a citizen of the United States for twenty years and of the State for two years. In case of the death of the Governor, the Lieutenant-Governor occupies his office. The Governor is also the commander-in-chief of the army and navy of the State and of the militia. He has the power of granting pardons, except for treason and in cases of impeachment, and of recommending to the Legislature such measures as he may deem necessary and expedient.

9. *Judiciary Power*: The judicial power of the State is vested in a Supreme Court, and Courts of Law and Equity. The Supreme Court consists of three judges, who are appointed by the Governor, with the advice and consent of the Senate. The term of office of the judges of the Supreme Court is nine years. The Supreme Court is held twice a year at the capital of the State, as the Legislature may prescribe. The judges of the Circuit Court are appointed by the Governor, for a term of six years. This Court sits twice a year in each county. The judges of the Chancery Court are appointed in the same manner as the

circuit judges. The State is divided into a number of chancery districts, composed of several counties each. The judges of this Court hold their offices for four years.

10. *A Board of Supervisors*, consisting of five members, elected by the people, for a term of two years, has jurisdiction over roads, ferries, public buildings, etc.

A competent number of justices of the peace and constables are chosen by the people of each county, for a term of two years.

11. *Taxation* can be levied by the Legislature for support of State government, for educational purposes, to suppress insurrection, repel invasion, etc. *Education*: The Constitution provides for a uniform system of free public schools, provided for by taxation or otherwise, for all children between the ages of five and twenty-one years. In 1886, the appropriation for the common school fund amounted to \$290,875.87, supplemented by \$71,825 from the Chickasaw school fund. An appropriation of \$32,643 was made during the same year to the State University; \$25,000 to the Agricultural and Mechanical College, at Starkville; about \$30,000 to the Industrial Institute and College, at Columbus; \$3,000 to the Tongaloo University, and \$5,321.25 to Alcorn University. The last two institutions named are for the benefit of colored students.

12. Besides the public schools in every county, there are numerous colleges, high schools and elementary private schools. The average school term in the State public schools is four months; in private schools, eight to ten months; in local public schools, six to eight months.

QUESTIONS ON CHAPTER XLV.

What was the population of Mississippi in 1890? What county was organized from 1880 to 1890? Change of name? How is each county sub-divided? Define the position of Mississippi? What of the Con-

stitutional Convention of 1868? Name some of its most important provisions? Mention the clause relating to the *Elective Franchise*? *The Legislative Power*? How often are the sessions of the Legislature held? Is it the sole law-making power? What must be done before a bill becomes a law? What in case the Governor vetoes or disapproves a bill? Give the clause relating to the *Executive Power*? *The Judiciary*? *Boards of Supervisors*? By what body is taxation levied? Educational system? Schools not under the public patronage? Average length of term?



CHAPTER XLVI.

1890-1892.

1. The Legislature which met in January, 1890, passed an Act to provide for the calling of a convention to amend the Constitution of the State of Mississippi. While in many respects the Constitution of 1868 was an excellent one, it was felt by the people of Mississippi that it had its defects, and that in the future the State was menaced by dangers arising out of one of the greatest problems of the Nineteenth century—the race question—as exhibited in the South, and especially in our own State. This fact, as stated by Judge Calhoun, President of the Convention, at the beginning of the session, August, 1890, had assumed colossal proportions, which could not be obscured by the clouds of maudlin sentiment or false philosophy. The fact can not be argued away, or speculated upon; it will remain in spite of all discussion, of all criticism from outside parties; in spite of all reflections made by ourselves, that there exists in this State two distinct and opposite types of mankind, and that the question before the Convention, most nearly concerning the peace and happiness of both races, was how it might be arranged that they should live together harmoniously. There were, of course, other important questions to be brought before the Convention, but the main fact was the determining of the governmental agencies which should control the State in the future.

2. The Constitutional Convention of 1890, met in the Hall of Representatives, State House, Jackson, on the 12th of August. As has been said, the securing of a more enlightened elective franchise, without race discriminations or injustice, occupied the time of the Convention to a larger

extent than any other measure. Many of the people of the State doubted the wisdom of calling together this Convention, feeling, perhaps, that it were better to "bear the ills we have, than fly to others that we know not of." As the movement was ratified by the majority of the voters of the State, however, the delegates assembled in obedience to the popular call, the best and most patriotic motives actuating them throughout.

Whether the united wisdom of the members of the Convention succeeded in solving the important "race problem" is a question that the future only can decide. While few organic changes were made in the Constitution, some important amendments were made by the Convention, which adjourned November 1, 1890. The Constitution of the State, as amended by this Convention, will be found in the "Civil Government" supplement, which, it is earnestly hoped, will be studied carefully by the pupils of our excellent public schools.

3. We will now give some important statistics, as gathered from the Census Bulletins of 1890. The relative rate of increase of the white and colored population of the Southern States during the last decade is a matter of such general interest and importance as to demand special attention. What is termed the "race count" has therefore been made for the South Atlantic and South Central States, and that for the State of Mississippi is here given in the hope of its proving of general interest. The abnormal increase of the colored population in what is known as the "Black Belt" of the South during the decade ending in 1880, led to the popular belief that the negroes were increasing at a much greater rate than the white population. This error was a natural one, and arose from the difficulty of ascertaining how much of the increase shown by the tenth census was real and how much was due to the omission of the census of 1870. During the past decade, according to the census

returns, the colored race has not held its own against the white in a region where the climate and conditions are, of all those which the country affords, the best suited to its development. In Mississippi and Alabama alone, of all the Southern States, have the blacks increased in proportion to the whites, and this has been caused by the very large immigration from the worn-out lands of the border States to the fertile cotton fields of the two States mentioned. The Delta, and other river-bottom lands, have attracted large numbers of blacks to Mississippi. While a large proportion of them are ignorant and illiterate, they, in the main, are quiet and orderly, and thrive and prosper under conditions which would not be endurable for white laborers.

4. The total area in Mississippi devoted to the cultivation of cotton in 1889-90 was 2,882,499 acres, and the production of cotton, 1,154,406 bales. Washington county had the largest average in cotton in 1889-90, and also the largest production.

According to the report furnished by Hon. J. R. Preston, State Superintendent of Public Schools of Mississippi, there were, in 1890, 361,977 pupils enrolled in the public schools of the State. Of these, 150,968 are white and 183,200 black. The total number of white teachers is 7,490; of black, 3,221. In the private schools of the State there are 24,312 pupils, of whom 21,769 are white and 2,543 blacks. In parochial schools there are 2,197 pupils, of whom 1,929 are white and 268 black. In the normal schools and universities of the State there are 1,300 students, of whom 888 are white and 412 black.

5. In the second session of the Forty-ninth Congress, Mississippi was represented in the lower house of the National Legislature by John M. Allen, Ethelbert Barksdale, F. G. Barry, Thos. C. Catchings, James B. Morgan, Otho R. Singleton, and Henry S. Van Eaton. In the Fiftieth Congress she was represented by John M. Allen, F. G.

Barry, T. C. Catchings, Charles E. Hooker, J. B. Morgan, C. L. Anderson, and Thos. R. Stockdale. In the Fifty-first Congress, John M. Allen, C. L. Anderson, T. C. Catchings, C. E. Hooker, John C. Kyle, Clarke Lewis, and T. R. Stockdale were her representatives. The first session of the Fifty-second Congress adjourned during the summer of 1892.

6. The second session of the Forty-ninth Congress commenced December 6, 1886, and ended March 3, 1887. Mississippi, as has been said, was then represented in the United States Senate by E. C. Walthall and J. Z. George, and has been so represented ever since. General George's first term expired March 4, 1887. He was re-elected for a second term, which will not expire until 1893, and was also re-elected for a third term by the Legislature of 1892. General Walthall was appointed by General Lowry to fill the vacancy occasioned by the resignation of Hon. L. Q. C. Lamar, who had resigned to accept the position of Secretary of the Interior in Mr. Cleveland's Cabinet. General Walthall, by this appointment, held until his successor was elected by the Legislature of 1886, for the term expiring March 4, 1889, and was elected to succeed himself, January 19, 1886. At the session of the Legislature of 1888, he was re-elected for six years, his term not expiring until March 4, 1895. The Legislature of 1892 re-elected him for another full term. The election of General Walthall's successor in 1892 was rendered necessary by the new Constitution of 1890, fixing quadrennial instead of biennial sessions of the Legislature. The next regular session will convene in January, 1896, after General Walthall's present term expires. Previous to the meeting of the Legislature of 1892, General Walthall announced his intention to retire from public life, stating that he would not be a candidate for re-election as his own successor. No other name, however, would be accepted by a grateful people, and their choice was signified

so earnestly, through the columns of the press as well as by their representatives in the Legislature, that General Walthall was induced to reconsider his withdrawal and accept the office, though at the sacrifice of his own wishes.

7. The summer of 1892 saw the inauguration of what promised to be a very exciting political campaign. The Republican party selected as its standard-bearer Benjamin Harrison, President of the United States, with Whitelaw Reid as candidate for the office of Vice-President. The Democratic party, meeting a short time afterward in Chicago, nominated ex-President Grover Cleveland for the office of President, with General Adlai Stevenson, of Illinois, as Vice-President. The "People's Party," which met in Omaha soon after, nominated General Weaver for President, while the Prohibition party nominated General James Bidwell, of California, for the same office. While a great deal of interest is manifested in the outcome, there is very little bitterness or rancor displayed in the conduct of the campaign, and the personal element in politics is likely to be eradicated.

QUESTIONS ON CHAPTER XLVI.

When was the Act providing for the calling of a Constitutional Convention passed? What of the Constitution of 1868? What dangers menaced the people of Mississippi? Who was chosen President of the Convention? Give his opening remarks? The main fact brought before the Convention? When and where did the Convention meet? Were the people of the State unanimous as to the wisdom of calling the Convention? How was the movement ratified? Did the Convention succeed in solving the race question? How alone can that be determined? Were many organic changes made in the Constitution? What was the relative rate of increase of the white and colored population of the South from 1880 to 1890? What led to the erroneous idea that the blacks were increasing faster than the whites? What fact is learned from the Census Report in this connection? In what States alone have the whites and blacks increased in the same proportion?

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Causes of this? The Delta and other river-bottom lands? Character of these immigrants? Total area of cotton lands in the State? County having the largest acreage in cotton? Public schools in 1890? Universities and normal schools? Representation of Mississippi in the lower house of the Forty-ninth Congress? In the Fiftieth? Fifty-first? Senators from Mississippi? General George's term? General Walthall's? What of the presidential campaign of 1892? Nominees of the Republican party? Of the Democratic? What of the "People's" party? The Prohibition party? Conduct of the campaign?



CHAPTER XLVII.

CITIES AND TOWNS OF MISSISSIPPI.

1. The State of Mississippi is bounded north by Tennessee, east by Alabama, south by the Gulf of Mexico and Louisiana, and west by Louisiana and Arkansas.

2. The following is a brief description of the principal cities and towns in the State having over 2,000 inhabitants, according to the census of 1890.

3. Jackson, the State capital and the county seat of Hinds county, has a population of 5,920. It is located on the western bank of Pearl river. It is at the junction of trunk railway lines running east, west, north, and south. The city is regularly laid out, and contains several handsome public buildings. The Insane Asylum was almost entirely destroyed by fire during the winter of 1891-92.

4. Vicksburg, with a population of 13,373, is the largest city in the State. It is situated on the Mississippi river, just below the mouth of the Yazoo, in Warren county, and is the most important river port between New Orleans and Memphis. Great quantities of cotton are shipped from Vicksburg, principally to New Orleans.

5. Meridian, the county seat of Lauderdale county, is the second city in the State in population, its inhabitants numbering 10,624. It is an important railroad center, and ships great quantities of cotton, wool and lumber to the North and West. Its manufactures include cotton goods, commercial fertilizers, furniture, sash and blinds, carriages, machinery, pottery, and cotton-seed oil. The State Business College and the East Mississippi Female College furnish excellent educational facilities. It also has five public graded schools. The East Mississippi Insane Asylum is near the city.

6. Natchez, with a population of 10,101, is on the Mississippi, 130 miles below Vicksburg. It is the county seat of Adams county, and one of the oldest towns in the Mississippi Valley. It is situated on a high bluff on the Mississippi river, commanding an extensive view of the cotton region of Louisiana. It is a beautiful city, handsomely laid out, with broad streets. Many of the residences are surrounded with flower gardens and orange groves. Natchez is a good shipping point for a fine farming section. Its manufactures are steadily increasing in importance. It has excellent public and private schools.

7. Greenville, the county seat of Washington county, is situated on the Mississippi river, and at the terminus of the Georgia Pacific and a branch of the Louisville, New Orleans & Texas Railroad. It is one of the most prosperous cities in the State. The population of Greenville is 6,658. Its graded public schools are excellent. It also has good private schools. It manufactures iron castings, brick, cotton-seed oil, and ice. It is a leading cotton market in the famous Yazoo Delta region, and ships annually many thousand bales of cotton.

8. Columbus, the capital of Lowndes county, is a thriving city beautifully situated on a high bluff on the Tombigbee river. It is the seat of the Mississippi Industrial Institute and College for girls. It has graded public schools of a high order. The city is an important cotton market, and has manufactories of cotton goods, lumber, machinery, cotton-seed oil, and flour. It has a population of 4,559.

9. Aberdeen, a flourishing city, is situated in Monroe county, in the eastern portion of the State. Its inhabitants are wealthy and cultured, numbering 3,449. The fertile prairies adjacent and the rich Tombigbee valley afford an active trade. The Canton, Aberdeen & Nashville, the Kansas City, Memphis & Birmingham, and the Mobile & Ohio Railroads furnish superior facilities for trade. The

city has a large trade in cotton. It has excellent graded schools.

10. Yazoo City, on the Yazoo river, in Yazoo county, is situated in one of the finest agricultural regions of the world. It has a population of 3,286, and has a thriving trade, shipping large quantities of cotton by river and railroad. The city is handsomely built and has superior graded schools.

11. Biloxi, in Harrison county, is a flourishing town on the Gulf coast, with a population of 3,234. The soft and delightful climate of this region has made Biloxi a favorite winter resort, while the cool breezes from the Gulf make it equally as popular as a summer resort. It is noted as being the location of the first settlement in the State, having been settled by Bienville and De Iberville in 1699. Many of the quaint old houses of the early settlers are still standing, and many of the present residents, being descendants of the early settlers, speak the French language exclusively.

12. Wesson, a prosperous manufacturing town in Copiah county, on the Illinois Central Railroad, has a population of 3,168. The Mississippi Mills, the largest cotton and woolen mills in the State, are located here. The town has good graded schools.

13. Water Valley, in Yalobusha county, is a thriving and progressive manufacturing town. The railroad shops of one division of the Illinois Central Railroad are located here. Other manufactories include cotton-mills, pottery and iron works, lumber mills, and shoe shops. The graded public schools are among the best in the State. The population, 2,832.

14. West Point, the county seat of Clay county, is a thriving business town. It is at the intersection of three trunk railroads, and has excellent communication with all parts of the State. It has fine graded schools. It manufactures lumber, sash and blinds, brick and tile, cotton-seed oil, and wagons. Its population is 2,762.

15. Grenada, the county seat of Grenada county, on the Yalobusha river, is situated at the junction of the Illinois Central and the Mississippi & Tennessee Railroads. It is the seat of Grenada Female College. The graded public school building is one of the finest in the State. Grenada has a population of 2,416.

16. McComb City, the largest town in Pike county, is a flourishing commercial town and the seat of important manufactories. It has a population of 2,383.

17. Holly Springs, the county seat of Marshall county, has a population of 2,246. Its situation is unusually attractive, it being 850 feet above the level of the sea. It is the most important railroad and commercial center in Northern Mississippi. The city has graded public schools, and colleges under the auspices of the Methodist and Presbyterian churches; and for colored students, Shaw University, and a State normal school.

18. Brookhaven, the county seat of Lincoln county, on the Illinois Central Railroad, is the seat of Whitworth Female College, and has graded public schools. Being in the heart of the great lumber region of Southern Mississippi, it has an extensive trade in lumber, which is shipped to all parts of the country.

19. Canton, on the Illinois Central Railroad, is the county seat of Madison county, and has a large trade in cotton and planters' supplies. The graded public and private schools are good. The population is 2,131.

20. Corinth, at the junction of the Mobile & Ohio and Memphis & Charleston Railroads, is the county seat of Alcorn county. It has a large trade in cotton, and carries on a variety of manufactories. Its graded schools are good. During the closing years of the war it was the headquarters of the Federal Army. The battle of Shiloh and other important battles were fought near this place. A National Cemetery, containing the bodies of several thousand Federal

soldiers, is located near here. Corinth has a population of 2,111.

21. Okalona, in Chickasaw county, is an enterprising town, on the Mobile & Ohio Railroad. It is in the heart of the "Black Prairie" region, and has a large trade in cotton. Its graded schools are excellent. The population is 2,099.



WHITWORTH FEMALE COLLEGE, BROOKHAVEN, MISS.

22. Macon, the county seat of Noxubee county, is a prosperous railroad town. It has a large local trade, and some manufacturing establishments. The graded public schools are good.

23. Oxford, in Lafayette county, on the Illinois Central Railroad, is the seat of the University of Mississippi, a State institution, which is largely patronized by the residents of the State.

24. Starkville, the county seat of Oktibbeha county, is a thrifty town, on the Canton, Aberdeen & Nashville and a branch of the Mobile & Ohio Railroads. Besides having excellent public and private schools, it is the seat of the State Agricultural and Mechanical College.

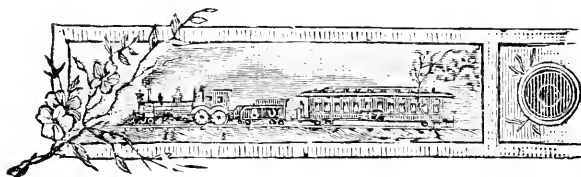
25. Clinton, in Hinds county, has for a long time been the seat of Mississippi College.

26. Blue Mountain, in Tippah county, is the seat of Blue Mountain Female College.

27. Bay St. Louis is the county seat of Hancock county, and the most important port on the coast of Mississippi. It is a favorite summer resort for the people of New Orleans. Other important towns are Winona, Kosciusko, Enterprise, Sardis, Batesville, Como, Senatobia, Coldwater, Clarksdale, Lyon, Greenwood, Friars' Point, Tupelo, Inka, etc.

QUESTIONS ON CHAPTER XLVII.

Give the boundaries of the State of Mississippi? Give a description of Jackson, the capital city of the State? Vicksburg? Meridian? Natchez? Greenville? Columbus? Aberdeen? Yazoo City? Biloxi? Wesson? Water Valley? West Point? Grenada? McComb City? Holly Springs? Brookhaven? Canton? Corinth? Okalona? Macon? Oxford? Starkville? Clinton? Blue Mountain? Bay St. Louis, and other important towns?



LIST OF GOVERNORS.

1799—1892.

Winthrop Sargent	1799
C. C. Claiborne	1801
Robert Williams	1805
David Holmes	1809
George Poindexter	1820
Walter Leake	1822
David Holmes	1826
Gerard C. Brandon	1827
Abram M. Scott	1833
Hiram G. Runnels	1833
Charles Lynch	1836
Alexander G. McNutt	1838
Tilghman H. Tucker	1842
Albert G. Brown	1844
Joseph W. Matthews	1848
John A. Quitman	1850
Henry Stuart Foote	1852
John J. McRae	1854
William McWillie	1858
John J. Pettus	1860
Charles Clarke	1864
William L. Sharkey	1865
Benjamin G. Humphreys	1866
Adelbert Ames	1868
James L. Alcorn	1869
R. C. Powers	1871
Adelbert Ames	1873
John M. Stone	1876
Robert Lowry	1882
John M. Stone	1890-1892

LIST OF COUNTIES IN MISSISSIPPI.

NAME.	FOR WHOM.	COUNTY SITE.	When Established.	Population in 1890.
Adams	Pres't Adams . . .	Natchez	1799	26,031
Alcorn	Ex-Gov. Alcorn . .	Corinth	1870	13,115
Amite	Named by French .	Liberty	1809	18,198
Attala	Indian name . . .	Kosciusko . . .	1833	22,213
Benton	Benton	Ashland	1870	10,585
Bolivar	Gen'l Bolivar . . .	Rosedale	1836	29,980
Calhoun	Jno. C. Calhoun . .	Pittsboro	1852	14,688
Carroll	Chas. Carroll . . .	Carrollton . . .	1833	18,773
Chickasaw	Indian tribe . . .	Houston	1836	19,891
Choctaw	Indian tribe . . .	Chester	1833	10,847
Claiborne	C. C. Claiborne . .	Port Gibson . .	1802	14,516
Clarke	J. G. Clarke . . .	Quitman	1833	15,826
Clay	Henry Clay	West Point . . .	1871	18,607
Coahoma	Indian name . . .	Friars' Point . .	1836	18,342
Copiah	Indian name . . .	Hazelhurst . . .	1823	30,233
Covington	Gen'l Covington . .	Williamsburgh .	1819	8,299
De Soto	Hernando De Soto .	Hernando	1836	24,183
Franklin	Benj. Franklin . .	Meadville	1809	10,424
Greene	Gen. Nath'l Greene .	Leakesville . . .	1811	3,906
Grenada	Spanish name . . .	Grenada	1870	14,974
Hancock	John Hancock . . .	Bay St. Louis . .	1812	8,318
Harrison	Wm. H. Harrison . .	Mississippi C'y .	1841	12,481
Hinds	Thos. Hinds	Raymond	1821	39,279
Holmes	Gov. Holmes	Lexington	1823	30,970
Issaquena	Indian name . . .	Mayersville . . .	1844	12,318
Itawamba	Indian name . . .	Fulton	1836	11,708
Jackson	Andrew Jackson . .	Scranton	1812	11,251
Jasper	Serg't Jasper . . .	Paulding	1823	14,785
Jefferson	Thos. Jefferson . .	Fayette	1802	18,947
Jones	Jones	Ellisville	1826	8,333
Kemper	Kemper family . . .	DeKalb	1823	17,961
Lafayette	Marq. De Latayette .	Oxford	1836	20,553
Lauderdale	Col. Lauderdale . .	Meridian	1833	29,661
Lawrence	Steph. Lawrence . .	Monticello . . .	1814	12,318
Leake	Gov. Leake	Carthage	1833	14,803
Lee	Gen. R. E. Lee . . .	Tupelo	1866	20,040

NAME.	FOR WHOM.	COUNTY SITE.	When Established.	Population in 1890.
Leflore	Greenwood Leflore	Greenwood . .	1871	16,869
Lincoln	Pres't Lincoln . .	Brookhaven . .	1870	17,912
Lowndes	Wm. Lowndes . .	Columbus . .	1830	27,047
Madison	Jas. Madison . .	Canton . . .	1828	27,321
Marion	Gen. Marion . . .	Columbia . .	1811	9,532
Marshall	C'f Justice Marshall	Holly Springs	1836	26,043
Monroe	Pres't Monroe . .	Aberdeen . .	1821	30,730
Montgomery	Rich. Montgomery	Winona . . .	1871	14,459
Neshoba	Indian name . . .	Philadelphia .	1833	11,146
Newton	Sir Isaac Newton .	Decatur . . .	1836	16,625
Noxubee	Indian name . . .	Macon	1833	27,338
Oktibbeha	Indian name . . .	Starkville . .	1833	17,694
Panola	Indian name . . .	Sardis	1835	26,977
Pearl River	Pearl river	Poplarville . .	1890	2,957
Perry	O. H. Perry	Augusta . . .	1820	6,494
Pike	Pike	Magnolia . .	1815	21,203
Pontotoc	Indian	Pontotoc . . .	1836	14,940
Prentiss	S. S. Prentiss . .	Booneville . .	1870	13,679
Quitman	John A. Quitman	Belen	1877	3,286
Rankin	Christ'r Rankin .	Brandon . . .	1828	17,922
Scott	Gov. Scott	Forest	1833	11,740
Sharkey	Gov. Sharkey . .	Rolling Fork .	1876	8,382
Simpson	Josiah Simpson .	Westville . .	1824	10,138
Smith	Smith David . . .	Raleigh . . .	1833	10,635
Sunflower	Sunflower river .	Indianola . .	1844	9,384
Tallahatchie	Indian name . . .	Charleston . .	1833	14,361
Tate	Tate family . . .	Senatobia . .	1873	19,253
Tippah	Indian name . . .	Ripley	1836	12,951
Tishomingo	Indian name . . .	Iuka	1836	9,302
Tunica	Indian name . . .	Austin	1836	12,158
Union	Union	New Albany .	1870	15,606
Warren	Gen. Warren . . .	Vicksburg . .	1826	33,164
Washington	Gen. Washington	Greenville . .	1827	40,414
Wayne	Gen. Wayne . . .	Waynesboro .	1802	9,817
Webster	Dan'l Webster . .	Walthall . . .	1874	12,060
Wilkinson	Gen'l Wilkinson .	Woodville . .	1812	17,592
Winston	Col. Winston . . .	Louisville . .	1833	12,089
Yalobusha	Indian name . . .	Coffeetown . .	1833	16,629
Yazoo	Indian name . . .	Yazoo City . .	1823	36,394

TEN CHAPTERS

ON

CIVIL GOVERNMENT

CAREFULLY COMPILED FROM THE BEST AUTHORITIES

BY

MARY V. DUVAL,

Author of "Student's History of Mississippi," and "History of Mississippi and
Civil Government."

DESIGNED EXPRESSLY FOR USE IN THE PUBLIC SCHOOLS OF MISSISSIPPI.

PREFACE.

The excuse of this book “for being” is the requirement of the Legislature of Mississippi, of 1892, that a work on “Civil Government” be placed on the excellent curriculum of the public schools of our State. As many of the current text-books on this subject are filled with matter not pertinent to our surroundings, it was thought that a work compiled from the best authorities, and relating almost entirely to our State and Federal governments, would meet with popular approval—hence the “Ten Chapters on Civil Government,” now offered to the people of the State. The author desires to make special mention of the courtesies extended her in the preparation of this work by various publishers, and to none is she more deeply indebted than to the popular house of Messrs. Ginn & Co., New York.

Hoping that it may meet the end designed by our patriotic Legislature—that of training our children to become good citizens—it is submitted in all candor and confidence.

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TEN CHAPTERS

ON

CIVIL GOVERNMENT.

CHAPTER I.

1. The careful student of history soon learns that absolute liberty can not be enjoyed except by an individual who lives in complete solitude, having no intercourse with his fellow-men. He will also soon learn that people can not live together in society without some form of government; that mutual rights and privileges must be defined and laws enacted, which are restraints, not upon the law-abiding, but upon the evil-doers of a community.

2. This is why to-day we are living in a country governed by laws which make it one of the freest, best, and most prosperous countries in the world. When the English founded colonies in America, it was natural that they should wish to transplant some, at least, of the laws of England to the new soil which proved so congenial to their institutions. This is why in the early history of the American colonies we read of not only the township, the county or shire, and the parish, all of which names are familiar to our ears, but also of the hundred, a name which exists now in history only, the manor and the borough, all forms of local government in the mother-country. Of all these forms of local government, only the township and county remain to Americans as of permanent value and general jurisdiction, though the

incorporated town and the city exist as special governments for people massed in towns and cities.

3. In New England, the township, whose form of government is purely democratic, holds the most important place in local forms of government. In New York, the township is not so strong as in New England, the county absorbing a larger share of the local business. In Pennsylvania, the county government is of the first importance, the townships having been organized for the purpose of choosing local officers to assist the county government in the execution of the law. Variations of the township and county governments of New York and Pennsylvania have been reproduced in many of the Western States, whose earliest settlers were the pioneers from the older States.

4. In the Southern States, Virginia being the model for most of the others, the county, the nearest reproduction of the old English shire that could be obtained, was exalted above every other form of local government. Many causes contributed to this end, the system of negro slavery, perhaps, being chief. Before the Civil war, the county court and the justices of the peace attended not only to the judicial business, but also to other local matters. The State governments of the South being highly centralized, only State officers were chosen by popular election, the others being appointed. After the war, the South showed a disposition to establish local government on a popular basis, and we now have an almost exact repetition of the local form of government in Pennsylvania during the colonial period; that is, having the township subservient to the county government for the purpose of choosing local officers for the same.

5. We find, therefore, in summing up, that three distinct forms of local government were transplanted from England to America. These are, first, the Township System in New England; second, the Township-County System which prevails in New York, Pennsylvania, and the more Western

States; third, the County System of the South, in which the county is the one local government of great importance.

6. While our towns, townships, and counties were transplanted directly from England, our States were derived from a different source. In England, as we all know, all power, legislative, executive, and judicial, rested with the reigning sovereign, until Parliament, the chief law-making body of the kingdom, claimed that the making of laws was its business, and that it was the duty of the king to observe, obey, and execute the laws of Parliament. So it happened that when the American colonies were founded, the government of England was in a transition state.

7. The love of liberty and their devotion to the religious convictions, for which they had been persecuted at home, had more influence in determining the character of the government of the United States than all other causes combined.

The definite idea of preserving English liberty, by founding a free State in the wilderness of America, was entertained by many of the colonists from the beginning. The Pilgrim Fathers of Massachusetts, the Quakers of Pennsylvania, the Catholics of Maryland, and the Huguenots of the Southern colonies, all might have remained peacefully in their former homes if they had been willing to violate their consciences.

8. The French were the first to make a permanent settlement in America, Canada being the scene of their adventures. In 1606, a company chartered in London, England, for the purpose of founding colonies in America, began a settlement on the banks of the James river. The first office of permanent importance to appear in the general government of the colony was that of Governor. This officer was appointed by the king, though he was selected by the London Company. In his turn, the Governor of the colony called to his assistance the chief men of the colony, their combined power at first performing all the

functions of a general government. They not only made and administered the laws, but were the highest court of appeal in cases of law.

9. In 1619 the eleven settlements along the James river elected two delegates each to meet with the Governor and his council, and assist in the government of the colony. This body, known as the House of Burgesses, is memorable as the first representative assembly in the New World. When the elected members of this body withdrew to themselves for deliberation, the Governor and his council, sitting to themselves, were known as the Upper House, they, the Lower House of Burgesses. The name of the Upper House was changed to Senate when Virginia separated from England during the war of the Revolution.

10. For over one hundred years the kings of England continued to appoint governors for the loyal Virginians, whose experience, with some variation, was repeated in a number of the colonies. The Carolinas were for a time under the control of royal governors and some noblemen to whom the king, in a fit of generosity, had given the province. When New York was taken from the Dutch in 1664, it was presented by the King of England to his brother, the Duke of York. In both of these cases discontent with the royal appointments was followed by an appeal for legislative representation, which, when granted, brought comparative freedom.

11. The Proprietary Colonies were not those alone given to mercantile companies, as in the case of the London and Plymouth, but those granted to noted individuals, as in the cases of Lord Baltimore, of Maryland, and William Penn, of the Quaker colony of West Virginia. The proprietor had the privilege of naming the governor of the colonies, which, during the greater part of their temporary existence, enjoyed legislative representation.

12. The Charter Colonies were those which received from

the king, or from Parliament during the civil war in England, liberal guarantees for the privilege of self-government. We again sum up and find that the Colonial Governments may be divided into three general classes: (1) Charter Colonies, which were governed according to charters granted to them by the King of England; (2) Proprietary Colonies, where the grant was made to individuals commonly styled the *Lords' Proprietors*; (3) Royal Provinces, where the king appointed the governors and had the general supervision of the colonies. It is useless to recite to American readers the story of that glorious contest with the king, in which they were driven to renounce their allegiance to their once-loved mother-country, and to make good the Declaration of July 4, 1776, "That these United Colonies are, and of right ought to be, free and independent States."

13. The parishes of Louisiana, whose territory was acquired at a later date than that of the original colonies, take the place of counties in other States. The hundreds are divisions of counties and do not take their place. The hundred is said to have been the settlement of one hundred free Saxon families, and if so, must date back 1,200 years. Some historians ascribe its formation to Alfred the Great, who desired to simplify the collection of his taxes. The hundred consisted of ten tithings. The early colonists brought the hundred with them, so we have, for example, "Bermuda Hundred" and other hundreds in Delaware. The Louisiana settlers kept their French customs just as the English kept theirs. The parish in France was about equivalent to an English county, so that the colonists in using parishes as the civil divisions of the State, used names with which they were accustomed.

QUESTIONS ON CHAPTER I.

What does the careful student of history soon learn? Why is our country one of the best and most prosperous of the world's Govern-

ments? Why were English laws transplanted to American soil? Give some English names familiar to American ears? What forms of local government alone retain their permanent value? Importance of the township in different sections of the Union? What form of local government prevails mostly in the South? Differences in local government in the South before and after the Civil war? Give a summary of the forms of local government? With whom did all power in England formerly reside? How changed? What, more than all other causes, determined the character of the government of the United States? What idea prevailed, generally, in the planting of the American colonies? What nation made the first permanent settlement in America? First permanent settlement in the United States? First office of permanent importance established in the colony? What of the delegates from the eleven settlements along the James river? What name did this body receive? Why is it memorable? Upper and Lower Houses? For what period of time did the King of England appoint the Governors of Virginia? What of the Carolinas? New York? Proprietary Colonies? Privileges of proprietors? What of Charter Colonies? Royal Colonies? Free and independent States?



CHAPTER II.

1. When the colonies became independent States, their governments were, in many respects, changed: (1) The House of Representatives was derived from the colonial assembly, to which the people were so much attached. (2) A new House called, in most States, the Senate, was elected to fulfill the legislative duties of the Governor and his Council. (3) The Governor was continued as the chief executive officer, but ceased to be a member of the Legislature, and instead of being appointed by the king or proprietor, was chosen either by popular vote or by the members of the Legislature.

2. This general description can not be applied to all of the States alike. Rhode Island and Connecticut became States with almost no regular form of government, and Pennsylvania for several years had only one house in the Legislature.

3. We come now to define the meaning of "State Constitutions," which include: (1) A Bill of Rights which has the effect of limiting the power of the officers of government by specifying the rights and privileges of citizens. This part of our Constitution is as old as Magna Charta itself. The principle of taxation by a representative body, trial by jury, the right to speedy trial and compensation for property taken for public purposes, are all derived from the same source. The *Habeas Corpus* Act, passed in 1679, made it the more difficult for the Government to keep a citizen in prison without just cause, and one who thinks himself unjustly imprisoned may apply to any court in the vicinity for the privilege of the writ of *Habeas Corpus*. It then becomes the duty of the court to issue an order commanding the officer to bring the body of the prisoner into court and

show cause why he is held, and if sufficient cause is not shown, the court must require his release.

The name "Bill of Rights" was given to these documents at the time of the final triumph of the people over the last of the Stuart kings in 1689.

4. The "Grand Model," prepared by John Locke in 1669, was one of the first documents in America to receive the name of Constitution. It was an elaborate paper called the "Fundamental Constitutions of Carolina," but was rejected by the liberty-loving people of the Carolinas as unsuited to English-born citizens of the New World.

The charters given to the London and Plymouth colonies contained the outlines of constitutions prepared for the American colonies. With the exception of Rhode Island and Connecticut, whose charters granted by the King of England were liberal in the extreme, each of the thirteen original States framed and adopted a constitution of its own. In most of the States a convention of delegates, chosen for the purpose, effected this important work, though in a few instances it was submitted to the people for ratification. All of these State Constitutions renounced the authority of the King of England and proclaimed the doctrine that all government of rights belongs to the people. A statement of all the rights ever claimed by Englishmen may be found in these constitutions. In some cases the "Bill of Rights" is entirely separate from the Constitution.

5. In all these Constitutions, provision is made for three departments of government—Legislative, Executive, and Judicial. The Legislative is the department that makes the laws, the Executive that which executes them, while the Judicial, considered, perhaps, as most important of all, interprets and applies the laws. The President of the United States is its Chief Executive, Congress is the Legislative, and the Supreme Court the Judicial department of the Government.

6. The first State Constitutions, framed by the people of the thirteen original States, have served as models, not only for the Federal Constitution, but for all the other State Constitutions which have since been made. New States, formed by the division of other States and out of territory which was never connected with any other State, adopted Constitutions which were but modifications of the original ones. The State of Texas was annexed to the Union with a Constitution already formed. Citizens of the United States, entering unoccupied territory, make for themselves such governments as they can, until numerous enough to be supplied by Congress with a Territorial government. When the population has increased sufficiently, Congress passes an act enabling the people of the Territory to agree upon a State Constitution, and the Territory becomes a State. In some instances, however, the people in the Territory of a proposed State have adopted a Constitution and been admitted by Congress without the enabling act.

7. The first attempt to form a confederation among the different American colonies occurred in 1643, when representatives from the colonies of Massachusetts, Plymouth, Connecticut, and New Haven met and drew up a Constitution providing for mutual protection and for various matters of common local interest. This Constitution provided that the colonies should, "each of them, in all respects, have peculiar jurisdiction and government within their limits, respectively." The English Government, before the beginning of the great contest between Great Britain and France for the possession of territory in North America, recommended to the colonies the formation of a union for common defense. To this end, representatives from a number of the colonies met in Albany, in 1754, and adopted a plan of union, subject to the approval of the English Government and the separate colonies. The English Government rejected the plan, because it gave too much power to the

colonies, and the colonies rejected it because it gave too much power to the English Government.

8. When the English Government attempted to violate the constitutional rights of the colonies, by taxing them without their consent, the latter began to consult with each other and to act together in matters of civil government.

In 1765, representatives from the colonies gave united expressions of their views in the Second Colonial, or Stamp Act, Congress, and in the ten years following, the colonists kept the subject of their rights, under the English Constitution, in constant agitation. On the 10th of May, 1775, the Second Continental Congress for the United Colonies of America met in Philadelphia, and began at once to assume the powers of a Government, though without the aid of a written Constitution. In the following year, Congress passed the Declaration of Independence. At this time each State was engaged in forming and administering a Constitution of its own, and it was natural that Congress should think of forming a Federal Constitution.

9. The Congress of 1778 adopted "Articles of Confederation," but these were not ratified until near the close of the war. This Constitution proved unsatisfactory on many accounts. It left the States sovereign, free, and independent; made no adequate provision for the enforcement of Federal laws, or the payment of the Federal debt. The Confederation was about to dissolve in confusion when a movement to amend the Constitution was made. In May, 1787, delegates from twelve States met in Philadelphia, for the purpose of devising a Constitution of the United States, more adequate to existing wants than the Articles of Confederation. The result of their deliberations was a document in many of its features modeled after the State Constitutions. There were the three departments of government; there were two Houses in the Legislature, the Upper House being chosen in a different way from the Lower; the

Chief Executive chosen by special electors elected for the purpose; the Judiciary, appointed by the Executive and confirmed by the Senate. Many other features of the existing State governments were incorporated into the Federal Constitution; so to a great extent, the making of the Constitution of the United States consisted simply in a judicious selection from the Constitutions of the different States.

10. The framers of the Constitution encountered the same great question which from that time to the present has agitated the minds of the people of the United States, culminating at one time in a great civil war, which rent the country in twain, shed the best blood of both sections and wasted millions of treasure. This was the relations held by the governments of the different States to the Federal Government. According to the views of one party the States should hold the same relation to the general government that the counties hold to the States. The opponents of this political doctrine held that the States should remain sovereign and independent; that no power should be exercised by the general government, except such as each State at the time approved. Happily, a compromise was effected between these extreme views. The framers of the new Constitution expressly conferred upon the Federal Government certain powers, while at the same time expressly forbidding to it certain others. Certain powers were likewise forbidden to the States, and a clause was engrafted, which declared that the Constitution, the laws and the treaties, made in pursuance thereof, shall be the supreme law of the land, and that the judges in every State shall be bound thereby. Another clause was added, requiring all officers in the several States to be bound by oath to support the Constitution of the United States.

11. Many of the States were disposed to look with suspicion on the new Constitution as likely to be an infringement of their rights, but finally all of them were induced to accept

and ratify it. Among those framing the new Constitution, Washington, Hamilton, Jefferson, and Madison were conspicuous. By the adoption of the new Constitution all the American States then existing—thirteen in number—were united under one government, a government devised to “establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty,” to themselves and their posterity.

QUESTIONS ON CHAPTER II.

How were the governments of the colonies changed when they became States? What exceptions to this description? Define the meaning of State Constitution. How derived? What other great principles are derived from the same source? The *Habeas Corpus Act*? The *Bill of Rights*? The *Grand Model*? What of the charter of the London and Plymouth colonies? How were most of the State Constitutions formed? What three departments of government are provided for by all of these Constitutions? Define the powers of each? For what did the Constitutions of the thirteen original colonies form the model? Constitution of Texas? Territorial form of government? First attempt to form a Confederated government in America? Constitution of the same? Convention of 1754? Why was its Constitution rejected? Why did the colonies begin to act together in matters of civil government? What of the Stamp Act Congress? The Second Continental Congress? The Declaration of Independence? Articles of Confederation? When adopted? When ratified? Why did they prove unsatisfactory? Movement to amend? What convention met in Philadelphia in 1787? Results of its deliberations? How did this Constitution resemble those of the State governments? What great question confronted the framers of the Constitution? How did it culminate? Give the views of the two parties on this question? How was a compromise effected? How did many of the States look upon the new Constitution? How many original States? For what was their government devised?

CHAPTER III.

1. We will now seek to learn something of the different kinds of government in the world, not only that we may form an intelligent idea of them, but that we may learn to appreciate our own grand and glorious Government as we should.

2. A *Monarchy* is a government by a single person. In different countries this person has a different title. If the country is an empire, the ruler is called an Emperor, Czar, or Sultan. If it is a kingdom, he is called a King, or, if the ruler is a female, a Queen. If the country is a Principality, the ruler is called a Prince; if a Duchy, he is called a Duke. There are two kinds of Monarchies, the Absolute and Limited. An Absolute Monarchy is one in which all the power is vested in one man. Russia is an instance of an Absolute Monarchy, the government being entirely vested in the Emperor or Czar, the ruler of the country. A Limited Monarchy is one in which the power of the monarch is limited by the constitution and the laws of the country, which provide that the ruler must share his power with the legislative body of the country. England is the most powerful limited monarchy in the world, though at one time its government was an absolute monarchy of the severest form. England is still ruled by a sovereign, but there are also two bodies of men, or two Houses, as they are called, which share her power. These are the House of Lords and House of Commons.

3. An *Aristocracy* is a government in which the power is lodged in the hands of the nobles or aristocrats. All history goes to prove that an aristocracy is the poorest form of government a country can have. A *Republic* is that form of

government in which the supreme power is vested in the people, or delegated to representatives elected by the people. A republic binds men together by strong ties of fellowship, as in a bond of affection and brotherly love. The United States is the highest form of a republican government.

4. As our laws are so nearly related to those of England, we will institute a comparison between the two forms of government showing the points of similarity and the points of difference. In the first place, the English Constitution is based upon custom, the people having never attempted to commit their frame of government to writing. They consider that action of authorities constitutional which is customary, or which has been determined by a law of Parliament. There was a time when the Crown had an undoubted right to veto a bill passed by Parliament, but, as the English Constitution is now understood, it has no such right. The Queen of England can not refuse to sign any document unanimously sent to her by both Houses. At one time, also, the Crown had the right to choose its own ministers, but that right once constitutional has now, by the demand of the people, become unconstitutional. At one time the House of Lords had equal powers with the House of Commons, but it is now understood that the Constitution furnishes to the House of Commons enough power to pass any bill, no matter how violently the Lords may oppose the measure.

5. Another way in which the English differs from the American government is in the union of executive and legislative power. In America the tendency is toward placing the business of the three departments of government more and more in the hands of separate officers, while in England the opposite tendency prevails, especially as regards legislative and executive business. This is known in political circles as Centralization of Power. What is known as the English Cabinet is composed of members either of the House

of Lords or the House of Commons. The Prime Minister is the leader of the party, having a majority in the House of Commons, and the various members of the Cabinet are chosen by him from the same party.

6. If Congress or one of our State Legislatures should pass a law which was in conflict with the Constitution, our courts would decide that such a law was null and void. In England, however, the courts have no such discretion. Whatever the British Parliament enacts becomes the law of the land.

7. We will now compare our State and Federal Governments. As we have already shown, the United States is divided into States and Territories; the States are divided into counties, and the counties into townships. There is a marked difference between the executive department of the Federal Government and the same department of a State. The Governor of a State is, as a general thing, in no wise responsible for the execution of the laws. This responsibility rests with the officers of the county, town, township, or city who were elected by the citizens of the locality. The President of the United States, however, and the men whom he calls to assist him, are personally responsible for the execution of Federal laws.

8. The constitution of a city government is established by the authority of the State in which it is situated. In large cities there are legislative bodies with a wide range of power. The Mayor is the chief city executive, and he, in connection with the city courts, decides cases arising under the laws of the city. In these respects the constitution of a city resembles that of the United States.

There is one remarkable difference, however, between the constitution of a city and the Federal Constitution. Appeal may be made from the decisions of the city courts to the Supreme Court of the State, but in cases involving the interpretation of the Federal Constitution, the Supreme

Court of the United States is the final authority, from which there is no appeal.

9. The work of education at the public expense was begun at an early day in the history of our Government. In 1787 the Continental Congress passed an ordinance for the government of the territory north of the Ohio river. This ordinance provided that schools and the means of education should be forever encouraged, and the sixteenth section in each township was set apart for the support of the public schools. The proceeds of the section set apart in this way come into the treasury of the State, and the State is thus committed to a public school system. In this way education was extended to the West and some portions of the South. As early as 1803-4, Mississippi, while yet a Territory under the governorship of C. C. Claiborne, was granted an Act by Congress reserving the sixteenth section in each township for the support of schools within the same.

10. The School District means the area set apart for the country school. There are two distinct uses of the word district, one meaning the area for a single school, the other an area for school government; towns and cities in nearly all cases having a school government entirely separate from the country schools. In Mississippi the "separate school district" of the larger towns has done more to promote the educational interests of the State than any other agency. School districts are under a variety of systems of government, as (1) the district system, in which the business is in the hands of officers chosen by the district area for one school; (2) the township system, in which officers chosen by the township have full control of all the schools in the township; (3) the mixed district township system, in which the business is divided between officers chosen by the smaller and those chosen by the larger area.

11. The work to be done is nearly the same in all local school governments, no matter what the form. The limits

of the district being determined, the school house is located, either by vote of citizens, or by the proper school authorities. The local school officers fix the rate of wages for the teachers and the time during which the school shall be taught. They also employ teachers and co-operate in the government of the school. School district officers receive different names in the different States of the Union, being called variously School Committee, School Board, Trustees, Supervisors, or Directors. In Mississippi, the County Superintendent, with the Board of Supervisors, constitute the School Board, having power to locate schools and decide upon other matters pertaining to the government of the county schools. The Superintendent alone has the power to license and employ teachers, and fix the rate of wages. In States where the school funds are not held by the township, or county officers, there is a school treasurer.

12. Schools are supported either by a State fund or a local tax. Many of the States have a fund derived from the sale of lands given to the State for that purpose by the general government. Early in the history of Mississippi, Congress donated to the State thirty-six sections of land for the benefit of education. After the location of these "Seminary lands," as they were called, they were leased to the highest bidder and the proceeds appropriated to the benefit of the youth of the State. The University of Mississippi, located at Oxford, was afterward made the beneficiary of these thirty-six sections of land.

13. As one of the most difficult tasks in the work of education is the securing of suitable teachers, it has been found necessary to pass laws forbidding any one to teach in the public schools unless he has been examined by the proper school authorities and has received from them a certificate of ability to teach and govern a school. Teachers' certificates are usually issued for a short time, one year or less, though in some States, notably Mississippi, the Superin-

tendents are empowered, under certain circumstances, to issue certificates for a much longer period of time.

14. In large towns and cities it has been found advisable to place the entire oversight of the schools in the hands of one person, known as the Superintendent. This officer, in many cases, devotes his entire time to grading the schools, planning work for teachers and improving the organization of the entire work under his care. In many States, Mississippi being one of the number, a superintendent for each county is appointed or elected, whose duty it is to examine teachers and issue certificates, to hold institutes for the instruction of teachers, to visit country schools, and to advise teachers in their work. In Mississippi, and in nearly all the other States, there is a Superintendent of Public Instruction, who has the general oversight of the educational work of the entire State. The Superintendents of the different counties are required by law to collect reports from the different districts and send them to the State Superintendent. In this way that official is informed of the condition of schools in all parts of the State, and is thus enabled to make a printed report to the Legislature, informing them of the needs of the schools.

15. Most of the States maintain State Universities, and many of them Agricultural Colleges. The University of Mississippi, the Agricultural and Mechanical College for boys, and the Industrial Institute and College for girls are all maintained by the State and are all doing fine educational work. The Federal Government maintains an Academy at West Point for the education of army officers; one at Annapolis for the education of the officers of the navy, a college for deaf-mutes at Washington, and a school for instruction in the signal service at Fort Whipple, Virginia. Congress also appropriates money for the education of the Indians. A Bureau of Education was established by the Government in 1867 for the benefit of the educational interests of the land.

QUESTIONS ON CHAPTER III.

Why should we seek to learn of the different forms of government? Define a Monarchy? Its ruler? Two kinds of Monarchies? Define and illustrate each? An Aristocracy? A Republic? Highest form of a republican government. Institute a comparison between the government of England and that of the United States? How is the power of the Queen of England abridged? Powers of the House of Lords and the House of Commons? What opposite tendencies prevail in England and America, relative to the union of the executive and legislative departments? What of the English Cabinet? The Prime Minister? Suppose Congress should pass a law which was in conflict with the Constitution? Supreme law of the land in England? Compare the State and Federal Governments? Is the Governor of a State responsible for the execution of the laws? With whom does this responsibility rest? What of the constitution of a city government? The chief executive? Difference between a municipal and the Federal Government? When was the work of education at the public expense begun? Ordinance of 1787? Its provisions? Proceeds of this section? Public education in Mississippi? What of the School District? Two distinct meanings of the word district? "Separate School Districts" in Mississippi? Different forms of government in school districts? Work to be done in all forms of local school government? What constitutes the County School Board in Mississippi? Powers of the County Superintendent? How are public schools supported? How many sections of land did Congress donate to Mississippi for educational purposes? The University of Mississippi? What of teachers' certificates? Granted for what period? What of City Superintendents? The County Superintendent and his duties? State Superintendent of Public Instruction? How informed of the condition of the schools? State Universities and Agricultural Colleges? University of Mississippi? Agricultural and Mechanical College? Industrial Institute and College? Academy at West Point, New York? How maintained? Money for the education of Indians? Bureau of Education?

CHAPTER IV.

1. An important part of the business of government is to collect taxes, to provide for the safe-keeping of the money thus secured, and to expend it in such a way as to secure the objects for which it was collected. The work of education, the building of roads, provision for the unfortunate classes, the administration of justice, the support of armies and navies, and the many other things which the Government is called upon to do, make a constant demand for a large amount of money or property, hence the necessity for taxation.

2. The greater part of the tax collected by authority of the State is levied directly upon individuals and upon property. Some States levy a tax upon all voters, or upon all able-bodied men of a given age. This is called a poll-tax, and is sometimes collected by requiring the person taxed to work upon the public highways. The State governments, however, rely for support chiefly upon the tax which is levied upon property. To collect a property tax there must first be a valuation of the property. Assessors of taxes are chosen by towns, townships, and cities, and these officers make a list of all tax-payers and all taxable property within their respective localities, being required to affix the true value to all the property in the list. The value affixed to property in the assessor's list is generally less than its real value, but this makes no difference in the result, since, if the sum which stands for the value of the property be small, a proportionally higher rate is paid. The point of greatest consequence in the valuation is that no tax-payer's property be rated either higher or lower than that of others. Errors in the assessors' lists are corrected by a local representative

board, and if all the property within the township is proportionally valued, it makes a just list for the collection of the township tax. For the collection of a county tax, where the township is associated with other towns, the lists are not just unless all the towns are rated on a uniform valuation.

3. A County Board of Equalization receives a copy of each of the assessors' lists and compares them, making such changes as justice demands. A State Board of Equalization then receives the lists from all the counties and corrects inequalities between the different sections. When the taxable property is legally valued, the various governments within the State can determine the rate of taxation. A representative School Board, or a meeting of voters in the school district, fixes the amount of tax to be raised in the school district and the rate of the school tax. The citizens in town-meeting vote a tax for the needs of the township. For incorporated towns and cities the town or City Council fixes a tax. A County Board estimates the expense of the county government and levies a corresponding tax upon the county. The State Legislature determines the amount of money necessary for the payment of State officers and the support of the State institutions and other objects, and prescribes the tax to be paid into the State Treasury.

4. In some States, the township is the chief collecting agency; in others, the county. The book containing the assessors' lists passes into the hands of the county treasurer, and the law fixing a time for payment, if the tax is not paid before the specified time, a fine or penalty is added. If the tax is not paid before a still further specified time, the property is sold at public auction. The government, in this way, collects enough money to pay the tax and all of the expenses incurred in the sale, and gives to the purchaser a tax-title to the property. The money thus collected by the county treasurer is for the support of school districts, townships, incorporated towns, and cities, the county and

State. The county treasurer is required to give a bond, and another county officer, or Auditing Board, is required to keep a strict account of all the money paid into or out of the county treasury. The treasurer pays out no money save at the command of the auditor, and the accounts of the two officers must correspond.

5. Besides this general tax, there are collected, in incorporated towns and cities, upon houses and lots, taxes for the improvement of streets adjoining. Other taxes, under the name of licenses, are collected for certain kinds of business, such as the selling of intoxicating drinks. The government also receives the money from fines and forfeitures, but all these sources of income amount to but little in comparison with the general tax upon property. Some forms of property are exempt from taxation in the general property tax. The assessor makes a list of taxable property only. States generally exempt a portion of the personal property, including the tools and utensils of laborers. Churches, parsonages, institutions of learning, and various charitable institutions are in most States exempt, on the ground of their advantage to the public. The greater part of the tax is collected from real estate.

6. The Constitution of the United States forbids the States to derive a revenue from a duty upon goods imported or exported. The Federal Government has at times received a large revenue from the sales of public lands, but at the present time the revenue from this source is comparatively insignificant. The collection of money from the sale of public lands belongs to the Department of the Interior. The Post-office Department is supported chiefly by the receipts for postage. The policy of the Government is to collect no more revenue from this source than is necessary for its support, and there has usually been a deficiency that had to be made up from other sources.

7. What is known as Internal Revenue is a tax on com-

modities produced in this country. It has often been the case that this tax is levied upon commodities that were injurious to the people, and one object of the tax laid upon them has been to discourage their production and use. The articles from which the greater part of the internal revenue is now derived are tobacco, beer, and distilled liquors. A Commissioner of Internal Revenue, belonging to the Treasury Department, supervises the collection of this tax.

8. By far the most important source of revenue to the Federal Government has been customs or duties upon imported goods, and during the entire history of the country more has been collected from this source than from any other. The commodities upon which duties are imposed are numerous, but the greater part of the revenue is derived from a few. One object of the tariff has been to encourage home production. A foreign commodity is taxed for the purpose of preventing its sale in America in equal competition with home products. A duty for this purpose is called a Protective Tariff. A tax on imports maintained solely to raise revenue for the support of the Government is called a Tariff for Revenue.

9. The collection of duties upon imported goods is also a part of the business of the Treasury Department. Ports of entry where ships are authorized to unload are established by the Government, and collection districts, more than a hundred in number, with collectors in each port and district. In the matter of direct taxation, the peculiar relations existing between the State and Federal Governments are fully illustrated. The Constitution gives to Congress full power of taxation with one single exception, that of levying export duty. Congress, however, seldom attempts to levy direct taxation, though if the States held the same relation to the Federal Government that the counties hold to the States, the matter of securing revenue would be greatly simplified. Congress would then only have to determine the amount to

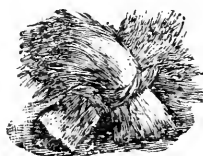
be raised, and apportion, according to population, the proper share of each State.

10. An incorporated town or city is one with a government having special corporate powers, granted to it by the Legislature of the State in which it is situated. In some States all of the cities are classified together, according to population, and are required to conform to a general plan for city government, though in other States special laws for the organization of cities are prohibited. In still other States the Legislatures grant special charters to cities, making laws for them separately. The officers of a city government are : (1) A law-making body, whose members are called aldermen, council, etc. (2) A chief executive officer, called the mayor. (3) City or police courts, and in large cities an organized police, a treasurer, solicitor, street commissioners, and other officials of minor importance.

11. The dense population of cities renders peculiar methods of governmental administration necessary. In educational matters, highways, taxation, the care of the poor, and holding elections, the work of the school district, the township and the county, is assumed by the city government. The schools of the town and city differ from those of the country. The paving of streets, their cleansing and convenience for pedestrians must all be looked after by the municipal authorities, and as the proportion of paupers is much greater in the city than the country, laws for their relief must be enacted. Hospitals must be sustained and tenement houses regulated and inspected. Cities also have power to prescribe the sort of building material to be used in the construction of houses, to maintain agencies for preventing and extinguishing fires, to pass ordinances for the protection of the citizens from contagious diseases, and to make laws for the preservation of order.

QUESTIONS ON CHAPTER IV.

What is one of the most important features of government? For what purposes are taxes collected? State taxes? How levied? Upon what do the State Governments rely mainly for support? Tax assessors? Their duties? Value affixed to property? Point of greatest consequence in valuation? Correction of errors? County Board of Equalization? State Board? What body fixes the school tax? The township? Towns and cities? County tax? State tax? Chief collecting agency in the different States? Fines and penalties? Tax title? The county treasurer? The auditor? Taxes in incorporated towns and cities? Other taxes? Forms of property exempt from taxation? Greatest part of the tax collected? What is forbidden by the Constitution of the United States? Revenue from the sale of public lands? To what department does it belong? How is the Post-office Department supported chiefly? Policy of the Government in this respect? What is the Internal Revenue tax? Articles from which the greatest revenue is drawn? Who supervises the collection of this tax? Name the most important source of revenue to the Federal Government? One object of the Tariff? Protective Tariff? Tariff for Revenue? The collection of duties upon imported goods? Ports of entry? The single exception in the power of taxation given by the Constitution to Congress? What is an incorporated town or city? Law of some States? Of others? Name the officers of a city government? What function does the city government assume?



CHAPTER V.

1. The school teacher is usually employed by a School Board. The method of electing teachers by popular vote has, in some cases, been employed, but it is not satisfactory. Where a school district does not contain a teacher, the teacher must be obtained elsewhere. Only that class of persons who make teaching their business are especially fitted for the work, and if their services are limited to the district in which they reside, as is customary where the teacher is chosen by popular vote, there would be little encouragement to prepare for professional work. All officers, however, derive their authority, directly or indirectly, from a popular election.

2. Where the County Superintendent is chosen by popular election, each county is limited to candidates residing within its own borders. Where the State makes it the duty of a chosen few to employ the County Superintendent, there is much more likelihood of a suitable person being employed. When a city is in need of a superintendent to manage its schools, authority is given its School Board to select one. From this we learn that where the responsibility of choosing rests upon a few, a wise choice may be anticipated.

3. An important part of the business of government is the holding of elections. In rural districts the voting precinct is usually a township, and small towns and cities are usually precincts for the casting of votes, while large cities are subdivided for voting purposes. The laws of the State prescribe the manner of holding elections. The officers are required to keep the polls open during certain hours, to receive the votes of all who have a right to vote, and to

exclude others. After the closing of the polls, the officers count the votes and make a list of all the persons who receive votes, and of the number which they receive. Those who receive the greatest number of votes for offices within the precinct are declared elected. In cases of county, State, and national offices, the lists are sent to a County Board, whose duty it is to meet at a time specified by law, and canvass the votes. The result of the vote for county officers is declared by the County Board, which sends the lists of votes for the more general officers to the State Board of Canvassers. The State Board, after making a canvass of the vote for all the remaining officers, declares the result.

4. Instead of voting directly for the President and Vice-President of the United States, the people of each State choose what are known as presidential electors, for whom they vote. According to the Constitution of the United States, each State is required to choose as many electors as there are Senators and Representatives from the State. These electors are chosen at a general election held in November, in each fourth year. The votes are canvassed in the same way as those for other State officers. The Constitution lays down the following rules for the election :

(1) The electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves. They shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit, sealed, to the seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in presence of the Senate and House of Representatives, open all the certificates, and the votes shall

be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member, or members, from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. (2) The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. (3) But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

5. This clause is not carried out as it was intended to be. For, you know, the people now nominate their candidates and vote for the electors, and these are expected to vote for their candidate. If, however, by any action of his own, a candidate proves himself unfit for this high office, the electors are under no obligations to vote for him. You notice that, if the electors fail to elect a President, the House of Representative proceeds to elect one, because the House

of Representatives, being the larger body of Congress, the choice comes more directly from the people. The privilege of electing the Vice-President, when the electors have failed to do so, is given to the Senate, because when elected he becomes their presiding officer.

6. It has happened several times that two sets of electors have claimed to be elected in a single State, and each set has sent to the President of the Senate a list of its votes. This state of affairs always threatens serious trouble, as in the case of Samuel J. Tilden and Rutherford B. Hayes, in 1876, duplicate lists having been sent to the President of the Senate from three Southern States. Congress, in this case, averted danger by creating a special Board, consisting of five Representatives, five Senators, and five Justices of the Supreme Court, to decide in advance which of the disputed lists should be counted. To avoid similar danger in the future, a recent act of Congress authorizes the Legislature of each State to establish by law a special court to determine cases of disputed elections.

7. The old English method of electing members of Parliament was by show of hands, or other public sign. The secret ballot took the place of these methods in 1871. Some of the colonial charters provided for voting by ballot, and in some of the States and colonies it has always been used. Its use is now required by the constitutions of nearly all the States. The object of the ballot is that every citizen may cast his vote in secrecy, without fear or intimidation.

8. The Australian ballot system, which has gained such favor, does not secure entire secrecy. Tickets are printed and distributed by those interested in the election. The appearance of the paper in the hands of the voter indicates his choice.

Every State Constitution sets forth who have a right to vote. With certain limitations, "all male citizens of the United States over twenty-one years of age" have that

right. Idiots, insane persons, and persons convicted of crime are not allowed to vote. There are requirements as to residence. Some States have an educational test, and, in some, persons convicted of bribery at an election are disqualified.

9. The regulation of the elective franchise is a power reserved to the States, or the people, and not upon Congress. The time, place, and manner of holding elections for Senators and Representatives is to be prescribed by the Legislature of each State, but "Congress may, at any time, by law, make or alter such regulations, except as to the place of choosing Senators." The Fifteenth Amendment removes from the States the power to deprive a person of the elective franchise on account of race, color, or previous condition of servitude.

Even with this limitation, however, the regulation of the franchise is still in the hands of the State, which may withhold it for other reasons.

QUESTIONS ON CHAPTER V.

What of the employment and election of teachers? Who alone are especially fitted for school work? From what source do all officers derive their authority? Employment of the County Superintendent? Of the City Superintendent? What forms an important part of the business of government? Precincts for the casting of votes? Manner of holding elections? What body declares the result of the election for county officers? Name the manner of electing the President and Vice-President of the United States? Requirements of the Constitution in regard to electors? Why is the clause relating to the eligibility of the President and Vice-President not carried out as was intended? Suppose the electors fail to elect a President? What has happened several times? Mention a notable case? How did Congress interpose? Act of Congress on this question since? What was the old English method of electing members of Parliament? Usage of the colonies? Present usage? Define the Australian ballot system? What does every State Constitution set forth? Give the law in this matter. What body regulates the elective franchise? Has Congress any authority in the premises? What of the Fifteenth Amendment?

CHAPTER VI.

1. Trial by jury originated with Alfred the Great, who ordained that every accused person should have the right of trial before twelve of his peers, who should pronounce judgment upon him. Before this, and even later, trial by ordeal and trial by battle were in vogue among both Normans and Saxons. As these practices were discontinued, the custom became universal of forming a jury of twelve to decide upon the guilt or innocence of the accused. This body was called a petit jury in distinction from the larger body, which made the accusation or indictment and received the name of grand jury. The grand jury consisted at first of twenty-four, but afterward of twenty-three members, of whom twelve were required to make an indictment. Little change has been made in the grand jury, but much in the petit jury. At first the twelve were chosen because they were supposed to be acquainted with the accused and the evidence, and they decided the case upon their own knowledge. If the original twelve were not agreed, others were added until twelve were found who would pronounce in favor of the guilt or the innocence of the accused. Witnesses were added to the jury about the year 1327, to give evidence, not to unite in the verdict. A century later the witnesses, instead of being added to the jury, were examined and cross-examined in open court. Three hundred years later still jurors were required—instead of deciding upon their own knowledge—to be guided wholly upon the evidence given in court.

2. The jury system with some modifications was transplanted to America and is still maintained, though some of the States have abolished the grand jury altogether ; and in others a grand jury may be composed of five persons only.

In some States juries of a less number than twelve are authorized in some of the lower courts, and in some the jury is not required to be unanimous in order to form a verdict.

3. The offices of sheriff and constable have, like the courts themselves, come down to us from remote antiquity. The sheriff, as the head man of the county, has a great variety of responsible duties, though his powers, in modern times, have been greatly restricted. The office of constable, once so important, now remains only as a local police and ministerial office. The coroner's office, also, has lost the importance once attached to it, and the chief function thereof is to hold inquests over the bodies of persons who have died by violence or under suspicious circumstances.

4. The courts with which the early English colonists in America had been familiar were: (1) The Justice of the Peace in Petty Session. (2) The Justices of the Peace in Quarter Session. (3) Assize Courts. (4) The High Courts. (5) The House of Lords and the Privy Council. Many features of this system were brought by the colonists to America.

5. Three grades of the English system of courts were finally established in all the States of the Union. (1) The judicial business in the hands of Justices of the Peace is the court of the lowest grade, though the lower Police Courts of towns and cities belong to the same order. (2) In most of the States a District or Circuit Court has replaced what was once known as Courts of Quarter Sessions, though in some of the States the latter still exist. (3) A Supreme Court, consisting of a Chief Justice and one or more Associate Justices, exists in each State. The system of courts intermediate between the Justice of the Peace and the Supreme Court varies greatly in the different States.

6. A few of the States still maintain separate courts of equity. These courts try a class of civil cases where the stricter rules followed in other courts would be inadequate

to redress wrongs or to prevent injustice. Relief is granted in this court that could not be given in a court of law. The Justice of the Peace, whose records are of temporary importance only, is his own clerk. All of the courts of a higher grade are courts of record, and have an officer to keep the records. All the courts of record, except the highest court of the State, are connected with the county. The county provides court houses, jails, juries, and the safe-keeping of all the records. The officer in charge of the records is called the County Clerk, or Clerk of the Courts.

7. The chief business of the Supreme Court is to hear appeals from the lower courts on points of law. It reviews the action of the lower court, and may reverse its decision on account of errors in the application of the law. When the Supreme Court has decided a point in law, the lower courts in the State are required to follow its decisions. The records of the lower court are open to the examination of the public, but are not published. The reports of the decisions of the Supreme Court are much more elaborate, the judges giving their opinions in writing, and the case being explained and argued at length. If the judges of the Supreme Court do not agree, a majority may unite in giving the decision, and a minority may file a dissenting opinion. The Supreme Court has a clerk and a recorder, the business of the latter being to prepare the decisions of the court for publication. In each judicial district there is an officer called by different names, whose duties are: (1) To present cases to the grand jury and to draw indictments against those whom the jury decide to indict; (2) to appear on behalf of the State in the trial; (3) to appear on behalf of the county in all suits in which the county or its officers are involved; (4) to give advice on questions of law to county officers and Justices of the Peace. In Mississippi this officer is called the District Attorney.

8. The Attorney-General is a State officer, whose duties

correspond in many respects to those of the District Attorney. (1) He appears on behalf of the State in all suits in the Supreme Court in which the State is a party ; (2) he is required to give advice on points of law to State officers ; (3) in some States he is required to give advice, in writing, on legal constitutional questions presented to him by the Legislature ; (4) he may be required to prosecute a defaulting treasurer or other officer in charge of State funds. In some States he is prosecuting attorney in the trial of capital crimes.

9. The United States maintains a system of courts similar to those maintained by the several States for the trial of cases arising under the Constitution and laws of the Federal Government. The Commissioners of the Circuit Courts are the most widely distributed of the judicial officers of the United States. Each circuit judge is empowered by law to appoint as many discreet persons as he may deem necessary to serve as commissioners. The chief of their duties is assisting the District and Circuit Courts in taking evidence to be used in trials, and arresting and holding for trial persons accused of crime against the United States. The Commissioner of the Circuit Court of the United States does the same work for the Federal Government that a justice of the peace does for the State. Any judge or magistrate, of either the State or the Federal Government, may order the arrest of a person charged with crime against the United States ; so we have two governments, with officers in almost every township, as a justice of the peace in cases of Federal crimes is acting not as a State officer, but as a Federal officer.

10. The good order of society requires that those who violate the laws of the land shall be punished. To do this the law has power to imprison any person against whom there is evidence of crime. In this way innocent persons may be sent to jail. A person deeming himself unlawfully imprisoned, may apply for a release by a writ of *habeas*

corpus. When examined, if found to be unlawfully imprisoned, he is set free.

11. The District Court is the lowest regular court in the Federal system. There is a district judge in every State in the Union. A district attorney is associated with every District Court. His duty is to appear on behalf of the United States in all suits where the Government is a party. The Circuit Court is intermediate between the District Court and the Supreme Court of the United States. There are nine Circuit Courts in the United States, with a judge for each circuit. Congress established a Court of Appeals in each of the nine circuits in 1891. The Supreme Court of the United States consists of a chief justice and eight associate judges. Cases of appeal from the lower courts, and all cases in which the State or any foreign minister is a party, are heard in the Supreme Court.

12. Legal business, in the ordinary acceptance of the term, is divided into three classes: (1) Criminal cases; (2) Civil cases; (3) Probate business. Criminal cases are those whose object is the infliction of some penalty for the violation of law. Civil cases are such as arise between citizens in the enforcement of contracts, and in securing damages for injuries. Probate business relates to the proving of wills, the settling of the estates of deceased persons, and the guardianship of minors and other persons disqualified by law for managing their own affairs.

13. A *mandamus* is an order from a court commanding a civil officer to perform a specific duty. An officer who still refuses to act may be sent to prison for contempt of court. An injunction is an order from a court restraining an officer or person from the doing of some specified wrong.

QUESTIONS ON CHAPTER VI.

With whom did trial by jury originate? What methods prevailed before this, and even later? Give the distinction between the petit and

the grand jury. In which branch has most change been made? First usages? When and for what purpose were witnesses added to the jury? Later changes in this regard? What of the transplanting of the jury system in America? Are juries ever composed of a less number than twelve? What of the offices of Sheriff and Constable? What of the Coroner's office? With what courts were the early English colonists in America familiar? Name the three grades of the English system of courts finally established in all the States of the Union? What of separate courts of Equity? What of the Justice of the Peace? What does the county provide? What is the chief business of the Supreme Court? The records of the lower courts? Reports of the decisions of the Supreme Court? Officers of the Supreme Court? Duties of the District Attorney? Of the Attorney-General? System of courts maintained by the Federal Government? Commissioners of the Circuit Court? The chief of their duties? What two governments in almost every township? What does the good order of society require? What power has the law in this respect? Writ of *habeas corpus*? Lowest court in the Federal system? District Judges and Attorneys? Circuit Courts? Number in the United States? Supreme Court of the United States? Right of appeal? Into what three classes is legal business divided? Define each? What is a *mandamus*? An injunction?



CHAPTER VII.

1. The Constitution provides that the House of Representatives shall be composed of members chosen every second year by the people of the several States. If at the end of two years a member of the House has shown by his action that he is not fit to represent the people, some one else can be elected to take his place. If he has shown himself to be the "right man in the right place," the people can re-elect him for another term. There is some similarity between our House of Representatives and the English House of Commons, but not so much as is generally supposed. The members of the House of Commons are elected for seven years, but they seldom serve that length of time. It is acknowledged that the House of Commons is a much more able body of men than the House of Lords, which goes to prove that the people can be trusted to select their law-makers, if they are but given the opportunity to do so. This fact proves also the efficiency of a republican form of government, where all the law-makers and other officers of the Government are elected by the people or their representatives.

2. The Constitution also provides that no person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen. The framers of the Constitution thought very wisely that a man under twenty-five years of age has not obtained to maturity of character or judgment, and, hence, is too young for such an important trust. No man knows the wants of Mississippi so well as he who lives in Mississippi—hence, it is important

that a man, when elected a Representative, must be an inhabitant of the State in which he is chosen.

3. A naturalized citizen is one who has been adopted by the country in which he lives. When he signs papers promising to become a citizen of a country, fight for its laws in time of war, and do all other acts that a person born in that country is required to do, he becomes a citizen, entitled to all the rights and privileges of the same with the following exceptions: He can not ever be elected either President or Vice-President of the country; he must have a two years' residence, after naturalization, to be a Representative, and four years to be a Senator; providing, first, however, that before applying to be naturalized he has lived in the country not less than five years. The law also provides that a declaration of intention to become a citizen must be made at least two years before naturalization, except in the case of those who have been honorably discharged from one year's service in the army or navy of the United States. In most countries naturalized citizens are not allowed to take any part in the affairs of government, but in the United States it is believed that any intelligent man, who has lived in a country for seven years, is capable of helping to make and administer its laws.

4. Another clause of the Constitution says: When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of elections to fill such vacancies. So if a member of the House dies, or for any other reason his seat becomes vacant, the Governor of the State which he represents calls an election for the purpose of filling his place. The Constitution also provides that each State shall have at least one Representative, and can not have more than one for every thirty thousand people. As the country increases in population, the ratio of representation changes.

5. The Constitution further says that the House of Repre-

sentatives shall choose their speaker and other officers, and shall have the sole power of impeachment. The Speaker is the officer who presides over the House. Unlike the House of Commons, whose speaker is dependent upon the king's will, the House of Representatives of the United States is independent. Impeaching an officer, is charging him with crime or misbehavior in office. When an officer has been impeached by the House, he has a trial before the Senate or Upper House of Congress. This is not different from the English method, which gives to the House of Commons the power of impeachment, and to the House of Lords the power of trial of the one impeached.

6. The Senate of the United States, according to the Constitution, must be composed of two Senators from each State, chosen by the Legislature thereof for six years, and each Senator shall have one vote. It is easy to see why it is desirous that the best men of the land shall be elected to the United States Senate. It is also easy to see how it can be done, as in the first place the people choose those whom they consider their best men for their State Legislature, and these men, who come from all parts of the State, have the selection of the United States Senators. Every State, whether large or small, has two Senators. California is many times larger than Rhode Island, yet Rhode Island has as many votes in the Senate as California. The large States have so many more members in the House of Representatives than the small, that this is considered just and right.

7. The Senators are elected for six years. If, at the end of six years, all the Senators were new men, who had never had any experience in law-making, the attempt might be very dangerous for the country. According to the Constitution, however, every two years one-third of the Senators are newly elected, while two-thirds are old members and know all about the duties of the Senate. Should a Senator die or resign his office, and the Legislature of his State be

not in session, the Governor of the State appoints some man to act as Senator for that State until the Legislature meets and elects one. For instance, when Senator Lamar resigned his seat in Congress to take a place in Mr. Cleveland's Cabinet, Governor Lowry, of Mississippi, appointed General E. C. Walthall to act as Senator from that State to fill out Mr. Lamar's unexpired term. When the Legislature of Mississippi met again, General Walthall was chosen as Mr. Lamar's successor.

8. No person who has not attained the age of thirty years and been a citizen of the United States for nine years is eligible for the office of United States Senator. A Senator must, when elected, be an inhabitant of the State in which he is elected. There are good reasons why Senators should be older than Representatives. The responsibilities of their office is greater, and for this reason they should be men of mature years. While the English House of Lords is sometimes said to resemble our Senate, there is really very little similarity. The House of Lords is composed of what are called the peers or noblemen of England, sixteen representative peers of Scotland, and twenty-eight representative peers of Ireland; also the bishops and archbishops of the Church of England. The noblemen receive different titles, as duke, marquis, earl, viscount, and baron. ‘

9. To be elected to our Senate a man must show some talent, and very few, if any, ignorant men ever reach that exalted place in the councils of our nation. In the English House of Lords, however, no matter how little intelligence a man may display, if he was born a nobleman, he can not be deprived of his seat. All persons in England under the degree of nobility are called commoners, though if the sovereign of England so wills, he may create peers out of commoners.

10. The Vice-President of the United States shall be President of the Senate, but shall have no vote unless they

be equally divided. If the Senate were to choose one of its own number for speaker or president, the State which this one represents would be deprived of one of its Senators. The President of the Senate has also power enough often to influence the course of legislation, and, therefore, the State which he represented as Senator would have more than its share of power. Those who framed the Constitution thought that it would be best to make the Vice-President of the United States the President of the Senate, from the fact that he belongs not to any one State, but to the people at large, because he has been chosen by them for this high office, the second in the gift of the nation. The Constitution provides that in the absence of the Vice-President, or when he shall exercise the office of President of the United States, the Senate shall choose a President *pro tempore*. This is a wise provision, and just before Congress closes its session the Vice-President retires, and then the Senate elects a President *pro tempore*, so that should the President of the United States die before the next session, the Vice-President becomes President of the United States, and the Senate can begin work at once, as there is a President to preside.

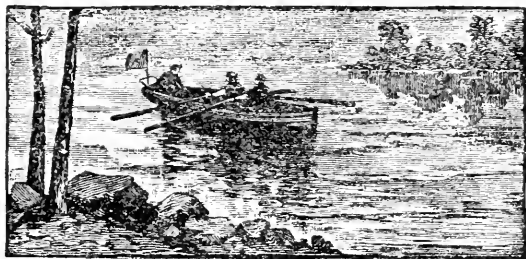
II. The Senate, as we have before stated, has sole power to try all impeachments. When sitting for that purpose they are placed on oath or affirmation. "When the President of the United States is tried," says the Constitution, "the Chief Justice shall preside, and no person shall be convicted without the concurrence of two-thirds of the members present. We can easily see the wisdom of the provisions in this clause. It is far easier to call a man guilty of a crime than it is to prove his guilt, so the framers of the Constitution placed the power of impeachment in the House, but gave to the older and wiser body the sole power to try all impeachments. Judgment in case of impeachment shall not extend further than removal from office and disqualification to hold and enjoy any office of honor, trust, or profit,

under the United States, but the party convicted shall, nevertheless, be liable and subject to indictment, trial and punishment according to law. Thus we see that though a man who is impeached may be tried and found guilty by the Senate, the Senate can punish him only by removing him from office. If his offense is such as can be punished by law, he is entitled to have another trial by jury. In this way we learn that there is only one way by which a man in our country can be deprived of liberty or put to death, and that is, after he has had a fair trial and has been found guilty of an offense. The English House of Lords may inflict banishment from the country, deprive a man of his liberty or property, and even pass sentence of death upon him.

QUESTIONS ON CHAPTER VII.

What does the Constitution provide in regard to the members of the House of Representatives? How long does his term of office last? Is there much similarity between this body and the English House of Commons? What is acknowledged as to the superiority of the House of Commons? What does this prove? Qualifications for membership in the House of Representatives? Why is it important that a man be an inhabitant of the State he represents? Meaning of the term "naturalized citizen?" What is required of a foreigner wishing to become naturalized? To what offices must he ever remain ineligible? What conditions must be fulfilled before he can become a member of Congress? What else does the law require in this case, and what exception is made? The law in other countries in regard to naturalized citizens? Law in regard to vacancies in the representation of a State? What if a member of the House dies or resigns? The basis of representation? Powers of the House? Who is the Speaker? Meaning of impeachment? Case of an officer impeached by the House? Of what must the Senate of the United States be composed? Why is it desirable that the best men of the country should sit in the Senate? How does this requirement secure such a result? Basis of representation in the Senate? How long does the term of a Senator last? Show how the Constitution secures two-thirds of the members from men of experience? Suppose a Senator dies or resigns his office? Case of Senators

Lamar and Walthall? What are the qualifications of a United States Senator? Why should a Senator be a man of mature years? The English House of Lords? Can an ignorant man sit in the United States Senate? In the English House of Lords? Who must be President of the Senate? Show why this is a wise provision? Who shall be President of the Senate in the absence of the Vice-President? Is this a wise provision? What sole power has the Senate? What is necessary for conviction? Why is this also a wise provision? To what shall judgment, in case of impeachment, extend? In what way alone may a man under our government be deprived of life or liberty? Power of the English House of Lords in this respect?



CHAPTER VIII.

1. We come now to describe the time, place, and manner of holding elections for Senators and Representatives. The State Legislature prescribes all three, but Congress may, at any time, by law, make or alter such regulations, except as to the place of choosing Senators. There are good reasons for this. Should the Legislature of a State, through negligence or disloyalty, fail to call an election, Congress can do so in order to protect itself, and as Congress meets at least once a year, there can be no chance for the country to suffer from want of legislation.

2. Each house shall be the judge of the election returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members in such manner and under such penalties as each house may provide. It might happen that two men from the same State might each claim to be the regularly elected Senator or Representative from that State. In such a case the House to which the man claims to have been elected hears both sides, and then determines who is entitled to the seat. If some other tribunal had this power, there might be times when the temptation to give a partisan decision would arise, but no such temptation can occur, as the Constitution now provides. In the history of Mississippi from time to time "contested election" cases have been decided in the House of Representatives in this way. One of the most famous was that of Prentiss and Ward against Claiborne and Gholson, and it was during the progress of this trial that S. S. Prentiss acquired a national fame for oratory.

3. It is a wise provision that the making of the laws is left in the hands of a majority, otherwise a small number of either House might meet and make bad laws to carry out some scheme of their own. There might also come a time during some great political excitement when a majority of either House might stay away, hoping, by so doing, to obstruct legislation. To prevent this, the Constitution gives the minority power to oblige the majority to be present. The English House of Commons can do business with a comparatively small portion of the members present, the quorum in the House of Lords, including the Chancellor, being only three.

4. Each House has power to determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member. In making each House an independent body, the framers of the Constitution showed great wisdom. The rules that govern the House are called "Parliamentary Law." A thorough knowledge of parliamentary law is indispensable to the making of an intelligent citizen. Every member of Congress is obliged to respect these rules or laws. One important rule is, that no bill, or proposed law, shall be passed without being read before the House three times, and, furthermore, the three readings shall not take place on the same day. A bill is sometimes introduced which sounds at first as if it would be an excellent law, but upon the second or third reading it is discovered that it might be a very unwise one. It hardly ever happens that one party has a two-thirds majority, hence, according to the Constitution, no member can be expelled on mere party grounds.

5. Each House shall keep a journal of its proceedings, and, from time to time, publish the same, excepting such parts as may, in their judgment, require secrecy; and the yeas and nays of the members of either House, on any question, shall, at the desire of one-fifth of those present, be entered

on the journal. As the members of Congress are the agents of the people, it is just and right that the people should know what their agents are doing. A man voting on a bill will be very careful if he is voting by yea or nay, if he knows that at any future time his constituents can tell just how he voted. The yeas and nays are obtained by having the clerk call the roll, and those members who are in favor of the bill, when their names are called, say "yea;" those opposed, "nay." The answer of each member is written opposite his name.

6. The Senators and Representatives receive such compensation for their services as the law decides, the same to be paid out of the treasury of the United States. In all cases, except treason, felony, and breach of the peace, they are privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same. They shall not be questioned in any other place for any speech or debate made in either House. These regulations are among the most important in the Constitution. If payment were left with the different States, it might not always be prompt or sure, and so, many times, the Senators or Representatives might feel that they need not attend and work for uncertain pay. If the remuneration of Congressmen were left with the States, it would be making the Federal Government dependent upon the States, and this would be unjust.

7. If a member of Congress could be arrested for any petty offense, there would often be cases in which a State would be deprived of its representatives. A member might also be arrested on some petty charge of an opponent, just to keep him from his seat, that he might not vote with his party. If a member is guilty of a high crime, it is right that he should be arrested, as he is not fit for a Congressman. A member of Congress should be free to say just what he thinks, at all times, about a law or bill which may come

before the House of which he is a member, and so the Constitution guarantees absolute freedom of speech by denying any one the right to question him in any other place for any speech or debate made in Congress.

8. Members of Congress are not allowed to hold any other civil office under the authority of the United States during their term of office. The country needs the time of its representatives to do work for the good of the people, and not for themselves. All bills for raising money for the Government must originate in the House of Representatives, but the Senate may oppose, or concur with amendments, as on other bills.

9. Every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a law, be presented to the President of the United States; if he approve, he shall sign it; but if not, he shall return it, with his objections, to the House in which it originated, and that body shall at once enter these objections on a journal and proceed to reconsider it. If, after such reconsideration, two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each House, respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless Congress, by its adjournment, prevents its return, in which case it shall not be a law.

10. In this clause we see what precautions were taken by the framers of the Constitution to prevent the making of bad laws. In the first place, the bill is passed by one of the Houses and then sent to the other. If the second House

passes it, then it goes to the President of the United States. After he has examined it carefully, he either signs it and it becomes a law, or he vetoes it and sends it back to the House that first passed it. Before it becomes a law two-thirds of this House have to vote for it. It is next sent to the second House again, where a two-thirds vote is also necessary. If the two Houses pass it a second time, it becomes a law without the President's name. In England, if the sovereign veto a bill, it can not become a law, so even though it is called a limited monarchy, the real power lies with the Throne.

II. To prevent wrong legislation, the following clause was added to the Constitution: Every order, resolution or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment), shall be presented to the President of the United States, and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill. If an order or resolution could be passed by Congress without the signature of the President, a bill or matter of great importance might, by calling it a resolution or order, become a law without the President's assent.

QUESTIONS ON CHAPTER VIII.

What does the Constitution require in regard to the time, place, and manner of electing Senators and Representatives? Of what is each House the judge? Suppose two men from the same State should each claim to be the regularly elected Senator or Representative from that State? Suppose the case had to be tried before some other tribunal? Have there been "contested election" cases in Mississippi? Mention a celebrated one? Why is it a wise provision that the making of the laws is left in the hands of a majority? What contingencies might arise were it otherwise? How does the Constitution prevent a minor-

ity from obstructing legislation? Different usage of the English Houses? Define the powers of each House as given in verse 4? What are the rules governing the House called? What is indispensable to the making of an intelligent citizen? Mention an important rule? Show the wisdom of this provision? What of the journals of each House? Why does a man vote more carefully when he remembers this requirement? What of the compensation of members of Congress? In what cases are they privileged from arrest? From being questioned? Why this provision? May a member of Congress hold any other civil office in the United States? Why not? What is required before a bill may become a law? Why these precautions? What clause was added to the Constitution to prevent wrong legislation?



CHAPTER IX.

1. Congress has power to lay and collect taxes, duties, imports, and excises; to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imports, and excises shall be uniform throughout the United States. During the Confederation, Congress had not this power, and, as a result, we had no government. Congress can also borrow money on the credit of the United States. During the different wars which the United States has been forced to carry on this has proved a wise provision, as without it there would have been no money to have carried on the war.

2. Commerce with foreign nations, among the several States, and with the Indian tribes, is regulated by Congress. The establishment of a uniform rule of naturalization and uniform laws on the subject of bankruptcies throughout the United States is the work of Congress; also the coinage of money, regulating the value thereof and of foreign money, and fixing the standard of weights and measures. The providing for the punishment of counterfeiting money, the establishment of post-offices and post-roads, the promoting the progress of science and useful arts, by securing for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries, is provided for by the Constitution, Congress alone having the power to control these measures. By a copyright an author is given the sole right to print and sell his work in the United States for a period of twenty-eight years, at the end of which time he can have it continued for fourteen years longer. An inventor's patent secures to him the sole right to make, use, or sell his invention in the United States for a period of seven-

teen years, and, if renewed, for the additional period of seven years.

3. Congress has power to constitute tribunals, inferior to the Supreme Court, to define and punish piracies and felonies committed on the high seas, and offenses against the laws of nations ; to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water. To grant letters of marque and reprisal is to grant commissions to citizens to seize the property of an enemy at war. If a private individual were to do this of himself, he could, if captured, be treated as a pirate. If they have these letters of marque and reprisal, they must, if captured by an enemy, be treated as prisoners of war.

4. Congress has power to raise and support armies, but no appropriation of money to that use shall be for a longer term than two years. The power to provide and maintain a navy, to make rules for the Government and regulation of the land and naval forces, to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, belongs to Congress. The power of organizing, arming, and disciplining the militia, which saves the expense of keeping a standing army, also belongs to Congress. Congress has, by the provisions of the Constitution, the right to exercise exclusive legislation over the District of Columbia, in which Washington, the capital of the United States, is situated. In order that the National Legislature shall be independent, it is necessary that it should possess supreme authority over the place of its sessions.

5. When a man is elected President of the United States, he appoints seven men from the party which elected him to aid him in the execution of the laws. These men are called the President's Cabinet, and are known as the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Attorney-General, the Postmaster-General, the Secre-

tary of the Navy, and the Secretary of the Interior. Should the President and Vice-President both be removed from office, by death or any other cause, the members of the Cabinet, beginning with the Secretary of State, would be their successors. The salary of the President is paid at stated intervals, and can neither be increased nor diminished during his term of office. This renders the President independent of Congress. "If his salary could be increased, he might be tempted to conform to the wishes of the House to gain an increase of income. If his salary could be diminished, the House might use that power to make him subservient." Up to the time of President Grant's second term, the President's salary was \$25,000 a year. Since that time it has been \$50,000 a year.

6. The army and navy of the United States is under the control of the President, because it is his duty to see that the laws are executed. If force is at any time required, he has the military power at his command to assist him. He has power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment. The power to make treaties is placed in the hands of the President, because, at all times, he is familiar with foreign affairs. Ambassadors are ministers of the highest rank. They are sent from one Government to another to manage its interests at court. Consuls are agents for the Government. They are sent to foreign countries to look after and protect the rights, commerce, merchants and Government seamen, and attend to such other duties as may be given them.

7. From time to time the President conveys to Congress information of the state of the Union, recommending to their considerations such measures as he judges are necessary and expedient. It is his duty to see that the laws are faithfully executed, and he commissions all the officers of the United States. The information thus given to Congress is called "The President's Message."

QUESTIONS ON CHAPTER IX.

Name the powers given to Congress mentioned in verse 1. Has Congress always possessed this power? In what cases has it been proved that this is a wise provision? What has Congress the power to regulate? To establish? To provide for? Define a copyright? How long does Congress protect an author? An inventor? Mention the powers of Congress given in verse 3? In verse 4? Why is it necessary that Congress exercise supreme authority over the District of Columbia? How is the President's Cabinet chosen? Mention the different departments? What of the salary of the President? Suppose his salary could be increased or diminished during his administration? When was the amount of the President's salary increased? How much? Why are the army and navy of the United States under the control of the President? What duties are required of him? What power does he possess? What is an Ambassador? A Consul? What of the messages of the President?



CHAPTER X.

Amendments to the Constitution having been made from time to time, it is thought best to embody them in a chapter to themselves. The following ten were made during the first session of the First Congress under the Constitution :

ARTICLE I.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof ; or abridging the freedom of speech, or of the press ; or the right of the people peaceably to assemble and to petition the Government for a redress of grievances.

ARTICLE II.

A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

ARTICLE III.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner to be prescribed by law.

ARTICLE IV.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V.

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger ; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb, nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property without

due process of law ; nor shall private property be taken for public use without compensation.

ARTICLE VI.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation ; to be confronted with the witnesses against him ; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

ARTICLE VII.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any court of the United States than according to the rules of the common law.

ARTICLE VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX.

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

ARTICLE X.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

As we read these Amendments to our glorious Constitution we are amazed at the wisdom and forethought of the founders of our Government in furnishing such a guaranty for personal liberty to those who should come after them. Having themselves tasted the bitter fruits of injustice and oppression, they determined that nothing of the sort should ever lawfully take place in our country. What a debt of gratitude do we owe them ! How the free people of America should honor and cherish their memories !

During the Civil war President Lincoln, by his "Emanci-

pation Proclamation," abolished slavery forever in the United States. It was necessary, however, that Congress should take some steps to sanction the act, so in December, 1865, the Constitution was amended so as to render slavery, which it before sanctioned, illegal, as follows :

ARTICLE XI.

Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Congress shall have power to enforce this article by appropriate legislation.

In 1868 another amendment was adopted, which reads as follows :

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States ; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny any person within its jurisdiction the equal protection of the laws.

ARTICLE XII.

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

ARTICLE XIII.

No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previ-

ously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

ARTICLE XIV.

The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States, nor any State, shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

ARTICLE XV.

The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.

The Congress shall have power to enforce this article by appropriate legislation.





CONSTITUTION

OF THE

STATE OF MISSISSIPPI.

ADOPTED NOVEMBER 1, 1890.

PREAMBLE.

We, the people of Mississippi, in Convention assembled, grateful to Almighty God, and invoking His blessings on our work, do ordain and establish this Constitution :

ARTICLE I.

Distribution of Powers.

SECTION 1. The powers of the Government of the State of Mississippi shall be divided into three distinct departments, and each of them confided to a separate magistracy, to-wit: Those which are legislative to one, those which are judicial to another, and those which are executive to another.

SEC. 2. No person or collection of persons being one, or belonging to one of these departments, shall exercise any power properly belonging to either of the others. The acceptance of an office in either of said departments shall, of itself, and at once, vacate any and all offices held by the person so accepting in either of the other departments.

ARTICLE II.

Boundaries of the State.

SEC. 3. The limits and boundaries of the State of Mississippi are as follows, to-wit: Beginning on the Mississippi river (meaning thereby the center of said river, or thread of the stream), where the southern boundary line of the State of Tennessee strikes the same, as run by B. A. Ludlow, D. W. Connelly, and W. Petrie, Commissioners appointed for that purpose on the part of the State of Mississippi in A. D., 1837, and J. D. Graham and Austin Miller, Commissioners appointed for that purpose on the part of the State of Tennessee; thence east along the said boundary line of the State of Tennessee to a

point on the west bank of the Tennessee river, six four-pole chains south of and above the mouth of the Yellow creek; thence up the said river to the mouth of Bear creek; thence by a direct line to what was formerly the northwest corner of the county of Washington, Alabama; thence on a direct line to a point ten miles east of the Pascagoula river on the Gulf of Mexico; thence westwardly, including all the islands within six leagues of the shore to the most eastern junction of Pearl river with Lake Borgne; thence up said Pearl river to the thirty-first degree of north latitude; thence west, along said degree of latitude to the middle, or thread of the stream, of the Mississippi river; thence up the middle of the Mississippi river, or thread of the stream, to the place of beginning, including all islands lying east of the thread of the stream of said river, and also including all lands which were at any time heretofore a part of this State.

SEC. 4. The Legislature shall have power to consent to the acquisition of additional territory by this State and to make the same a part thereof; and the Legislature may settle disputed boundaries between this State and its coterminous States whenever such disputes arise.

ARTICLE III.

SEC. 5. All political power is vested in, and derived from, the people; all government of right originates with the people, is founded upon their will only, and is instituted solely for the good of the whole.

SEC. 6. The people of this State have the inherent, sole, and exclusive right to regulate the internal government and police thereof, and to alter and abolish their Constitution and form of government whenever they may deem it necessary to their safety and happiness; *Provided*, such change be not repugnant to the Constitution of the United States.

SEC. 7. The right to withdraw from the Federal Union on account of any real or supposed grievance shall never be assumed by this State, nor shall any law be passed in derogation of the paramount allegiance of the citizens of this State to the Government of the United States.

SEC. 8. All persons resident in this State, citizens of the United States, are hereby declared citizens of the State of Mississippi.

SEC. 9. The military shall be in strict subordination to the civil power.

SEC. 10. Treason against the State shall consist only in levying war against the same or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on open confession in open court.

SEC. 11. The right of the people peaceably to assemble and petition the Government on any subject shall never be impaired.

SEC. 12. The right of every citizen to keep and bear arms in defense of his home, person or property, or in aid of the civil power when thereto legally summoned, shall not be called in question, but the Legislature may regulate or forbid carrying concealed weapons.

SEC. 13. The freedom of speech and of the press shall be held

sacred, and in all prosecutions for libel the truth may be given in evidence, and the jury shall determine the law and the facts under the direction of the court, and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives and for justifiable ends, the party shall be acquitted.

SEC. 14. No person shall be deprived of life, liberty, or property except by due process of law.

SEC. 15. There shall be neither slavery nor involuntary servitude in this State otherwise than in the punishment of crime, whereof the party shall have been duly convicted.

SEC. 16. *Ex post facto* laws, or laws impairing the obligations of contracts, shall not be passed.

SEC. 17. Private property shall not be taken or damaged for public use except on due compensation being first made to the owner or owners thereof, in a manner to be prescribed by law, and whenever an attempt is made to take private property for a use alleged to be public, the question whether the contemplated use be public shall be a judicial question, and as such determined without regard to legislative assertion that the use is public.

SEC. 18. No religious test as a qualification for office shall be required; and no preference shall be given by law to any religious sect or mode of worship; but the free enjoyment of all religious sentiments and the different modes of worship shall be held sacred. The rights hereby secured shall not be construed to justify acts of licentiousness injurious to morals or dangerous to the peace and safety of the State, or to exclude the Holy Bible from use in any public school of this State.

SEC. 19. Human life shall not be imperiled by the practice of dueling; and any citizen of this State who shall hereafter fight a duel, or assist in the same as second, or send, accept, or knowingly carry a challenge therefor, whether such act be done in the State or out of it, or who shall go out of the State to fight a duel, or to assist in the same as second, or to send, accept, or carry a challenge, shall be disqualified from holding any office under this Constitution, and shall be disfranchised.

SEC. 20. No person shall be elected or appointed to office in this State for life or during good behavior, but the term of all offices shall be for some specified period.

SEC. 21. The privilege of the writ of *habeas corpus* shall not be suspended, unless, when in cases of rebellion or invasion, the public safety may require it, nor ever without the authority of the Legislature.

SEC. 22. No person's life or liberty shall be twice placed in jeopardy for the same offense, but there must be an actual acquittal or conviction on the merits to bar another prosecution.

SEC. 23. The people shall be secure in their persons, houses, and possessions, from unreasonable seizure or search, and no warrant shall be issued without probable cause, supported by oath or affirmation, specially designating the place to be searched and the person or thing to be seized.

SEC. 24. All courts shall be open, and every person, for an injury done him in his lands, goods, person or reputation, shall have remedy by due course of law, and right and justice shall be administered without sale, denial or delay.

SEC. 25. No person shall be debarred from prosecuting or defending any civil cause for or against him or herself before any tribunal in this State, by himself or herself, or counsel, or both.

SEC. 26. In all criminal prosecutions the accused shall have a right to be heard by himself, or counsel, or both; to demand the nature and cause of the accusation; to be confronted by the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and in all prosecutions by indictment or information a speedy and public trial by an impartial jury of the county where the offense is committed; and he shall not be compelled to give evidence against himself; but, in prosecutions for rape, adultery, fornication, sodomy, or the crime against nature, the court may, in its discretion, exclude from the courtroom all persons except such as are necessary in the conduct of the trial.

SEC. 27. No person shall, for any indictable offense, be proceeded against criminally by information, except in cases arising in the land or naval forces, or the militia when in actual service, or by leave of the court for misdemeanor in office, but the Legislature, in cases not punishable by death or imprisonment in the penitentiary, may dispense with the inquest of the grand jury, and may authorize prosecutions before Justices of the Peace, or such other inferior court or courts as may be established, and the proceedings in such cases shall be regulated by law.

SEC. 28. Cruel or unusual punishment shall not be inflicted, nor excessive fines imposed.

SEC. 29. Excessive bail shall not be required, and all persons shall, before conviction, be bailable by sufficient sureties, except for capital offenses, when the proof is evident or the presumption great.

SEC. 30. There shall be no imprisonment for debt.

SEC. 31. The right of trial by jury shall remain inviolate.

SEC. 32. The enumeration of rights in this Constitution shall not be construed to deny or impair others retained by, and inherent in, the people.

ARTICLE IV.

Legislative Department.

SEC. 33. The legislative power of this State shall be vested in the Legislature, which shall consist of a Senate and a House of Representatives.

SEC. 34. The House of Representatives shall consist of members chosen every four years by the qualified electors of the several counties and representative districts.

SEC. 35. The Senate shall consist of members to be chosen every four years by the qualified electors of the several districts.

SEC. 36. The Legislature shall meet at the seat of government in

regular session on the first Tuesday after the first Monday in January of the year A. D. 1892, and every four years thereafter ; and in special session on the first Tuesday after the first Monday in January of the year 1894, and every four years thereafter, unless sooner convened by the Governor. The special sessions shall not continue longer than thirty days, unless the Governor, deeming the public interest to require it, shall extend the sitting by proclamation in writing, to be sent to and entered upon the journal of each house for a specific number of days, and then it may continue in session to the expiration of that time. At such special sessions the members shall receive not more compensation or salary than ten cents mileage, and a *per diem* of not exceeding five dollars, and none but appropriation and revenue bills shall be considered, except such other matters as may be acted upon at an extraordinary session called by the Governor.

SEC. 37. Elections for members of the Legislature shall be held in the several counties and districts as provided by law.

SEC. 38. Each house shall elect its own officers, and shall judge of the qualifications, return and election of its own members.

SEC. 39. The Senate shall choose a President *pro tempore* to act in the absence or disability of its presiding officer.

Qualifications and Privileges of Legislators.

SEC. 40. Members of the Legislature, before entering upon the discharge of their duties, shall take the following oath : " I, ———, do solemnly swear (or affirm) that I will faithfully support the Constitution of the United States and of the State of Mississippi ; that I am not disqualified from holding office by the Constitution of this State ; that I will faithfully discharge my duties as a legislator ; that I will, as soon as practicable hereafter, carefully read (or have read to me) the Constitution of this State, and will endeavor to note and, as a legislator, to execute all the requirements thereof imposed on the Legislature ; and I will not vote for any measure or person because of a promise of any other member of this Legislature to vote for any measure or person, or as a means of influencing him or them so to do. So help me God."

SEC. 41. No person shall be a member of the House of Representatives who shall not have attained the age of twenty-one years, and who shall not be a qualified elector of the State, and who shall not have been a resident citizen of the State four years and of the county two years immediately preceding his election. The seat of a member of the House of Representatives shall be vacated on his removal from the county or flatorial district from which he was elected.

SEC. 42. No person shall be a Senator who shall not have attained the age of twenty-five years, who shall not have been a qualified elector of the State four years, and who shall not be an actual resident of the district or territory he may be chosen to represent for two years before his election. The seat of a Senator shall be vacated upon his removal from the district from which he was elected.

SEC. 43. No person liable, as principal, for public moneys unaccounted for, shall be eligible to a seat in either House of the Legislature,

or to any office of profit or trust until he shall have accounted for and paid over all sums for which he may have been liable.

SEC. 44. No person shall be eligible to a seat in either House of the Legislature, or to any office of profit or trust, who shall have been convicted of bribery, perjury, or other infamous crime; and any person who shall have been convicted of giving, or offering, directly or indirectly, any bribe to procure his election or appointment; and any person who shall give or offer any bribe to procure the election or appointment of any person to office shall, on conviction thereof, be disqualified from holding any office of profit or trust under the laws of this State.

SEC. 45. No Senator or Representative, during the term for which he was elected, shall be eligible to any office of profit which shall have been created, or the emoluments of which have been increased, during the time such Senator or Representative was in office, except to such offices as may be filled by an election of the people.

SEC. 46. The members of the Legislature shall severally receive from the State treasury compensation for their services, to be prescribed by law, which may be increased or diminished, but no alteration of such compensation of members shall take effect during the session at which it is made.

SEC. 47. No member of the Legislature shall take any fee or reward, or be counsel in any measure pending before either house of the Legislature, under penalty of forfeiting his seat, upon proof thereof to the satisfaction of the House of which he is a member.

SEC. 48. Senators and Representatives shall, in all cases, except treason, felony, theft or breach of the peace, be privileged from arrest during the session of the Legislature, and for fifteen days before the commencement and after the termination of each session.

Trial of Officers.

SEC. 49. The House of Representatives shall have the sole power of impeachment, but two-thirds of all the members present must concur therein. All impeachments shall be tried by the Senate, and, when sitting for that purpose, the Senators shall be sworn to do justice according to law and the evidence.

SEC. 50. The Governor and all other civil officers of this State shall be liable to impeachment for treason, bribery, or any high crime or misdemeanor in office.

SEC. 51. Judgment in such cases shall not extend farther than removal from office and disqualification to hold any office of honor, trust, or profit in this State; but the party convicted shall, nevertheless, be subject to indictment, trial, judgment, and punishment according to law.

SEC. 52. When the Governor shall be tried, the Chief Justice of the Supreme Court shall preside, and when the Chief Justice is disabled, disqualified, or refuses to act, the Judge of the Supreme Court, next oldest in commission, shall preside, and no person shall be convicted without the concurrence of two-thirds of all the Senators present.

SEC. 53. For reasonable cause, which shall not be sufficient ground of impeachment, the Governor shall, on the joint address of two-thirds

of each branch of the Legislature, remove from office the judges of the Supreme and inferior courts, but the cause or causes of removal shall be spread on the journal, and the party charged be notified of the same and have an opportunity to be heard by himself or counsel, or both, before the vote is finally taken and decided.

Rules of Procedure.

SEC. 54. A majority of each House shall constitute a quorum to do business, but a less number may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as each shall provide.

SEC. 55. Each House may determine rules of its own proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds of the members present, expel a member; but no member, unless expelled for theft, bribery, or corruption, shall be expelled a second time for the same offense. Both Houses shall, from time to time, publish journals of their proceedings, except such parts as may in their opinion require secrecy, and the yeas and nays on any question shall be entered on the journal, at the request of one-tenth of the members present; and the yeas and nays shall be entered on the journal on the final passage of every bill.

SEC. 56. The style of the laws of the State shall be: "Be it enacted by the Legislature of the State of Mississippi."

SEC. 57. Neither House shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SEC. 58. The doors of each House, when in session, or in Committee of the Whole, shall be kept open, except in cases which may require secrecy, and each House may punish, by fine and imprisonment, any person not a member who shall be guilty of disrespect to the House, by any disorderly or contemptuous behavior in its presence, or who shall in any way disturb its deliberations during the session, but such imprisonment shall not extend beyond the final adjournment of that session.

SEC. 59. Bills may originate in either House and be amended or rejected in the other, and every bill shall be read on three different days in each House, unless two-thirds of the House where the same is pending shall dispense with the rules, and every bill shall be read in full immediately before the vote on its final passage, and every bill having passed both Houses shall be signed by the President of the Senate and the Speaker of the House of Representatives in open session; but before either shall sign any bill, he shall give notice thereof, suspend business in the House over which he presides, have the bill read by its title, and on the demand of any member, have it read in full, and all such proceedings shall be entered on the journal.

SEC. 60. No bill shall be so amended in its passage through either House as to change its original purpose, and no law shall be passed except by bill; but orders, votes and resolutions of both Houses affecting the prerogatives and duties thereof, or relating to adjournment, to amendments to the Constitution, to the investigation of public officers, and the like, shall not require the signature of the Governor, and such resolutions, orders and votes may empower legislative committees to

administer oaths, to send for persons and papers, and generally make legislative investigations effective.

SEC. 61. No law shall be revived or amended by reference to its title only, but the section or sections as amended, or revived, shall be inserted at length.

SEC. 62. No amendment to bills by one House shall be concurred in by the other, except by a vote of a majority thereof, taken by yeas and nays, and the names of those voting for and against recorded upon the journals, and reports of committees of conference shall in like manner be adopted in each House.

SEC. 63. No appropriation bill shall be passed by the Legislature which does not fix definitely the maximum sum thereby authorized to be drawn from the treasury.

SEC. 64. No bill passed, after the adoption of this Constitution, to make appropriations of money out of the State Treasury, shall continue in force more than six months after the meeting of the Legislature at its next regular session, nor shall such bill be passed except by the votes of a majority of all the members elected to each house of the Legislature.

SEC. 65. All votes, on the final passage of any measure, shall be subject to reconsideration for at least one whole legislative day, and no motion to reconsider such vote shall be disposed of adversely on the day on which the original vote was taken, except on the last day of the session.

SEC. 66. No law granting a donation or gratuity in favor of any person or object shall be enacted, except by the concurrence of two-thirds of each branch of the Legislature, nor by any vote for a sectarian purpose or use.

SEC. 67. No new bill shall be introduced into either House of the Legislature during the last three days of the session.

SEC. 68. Appropriation and revenue bills shall, at regular sessions of the Legislature, have precedence in both Houses over all other business, and no such bills shall be passed during the last five days of the session.

SEC. 69. General appropriation bills shall contain only the appropriations to defray the ordinary expenses of the executive, legislative, and judicial departments of the Government, to pay interest on State bonds, and to support the common schools. All other appropriations shall be made by separate bills, each embracing but one subject. Legislation shall not be engrafted on appropriation bills, but the same may prescribe the conditions on which the money may be drawn and for what purpose paid.

SEC. 70. No revenue bill nor any bill providing for assessments of property for taxation shall become a law except by a vote of at least three-fifths of the members of each House present and voting.

SEC. 71. Every bill introduced into the Legislature shall have a title, and the title ought to indicate clearly the subject matter, or matters, of the proposed legislation. Each committee to which a bill may be referred shall express in writing its judgment of the sufficiency of

the title of the bill, and this, too, whether the recommendation be that the bill do pass or do not pass.

SEC. 72. Every bill which shall pass both Houses shall be presented to the Governor of the State. If he approve he shall sign it, but if he does not approve he shall return it, with his objection, to the House in which it originated, which shall enter the objections at large upon its journal and proceed to reconsider it. If, after such reconsideration, two-thirds of that House shall agree to pass the bill, it shall be sent, with the objections, to the other House, by which likewise it shall be reconsidered, and, if approved by two-thirds of that House, it shall become a law; but in all such cases the votes of both Houses shall be determined by yeas and nays. The names of the persons voting for and against the bill shall be entered on the journal of each House, respectively. If any bill shall not be returned by the Governor within five days (Sunday excepted) after it has been presented to him, it shall become a law, in like manner as if he had signed it, unless the Legislature, by adjournment, prevent its return, in which case it shall be a law unless sent back within three days after the beginning of the next session of the Legislature. No bill shall be approved when the Legislature is not in session.

SEC. 73. The Governor may veto parts of any appropriation bill and approve parts of the same, and the portions approved shall be law.

SEC. 74. No bill shall become a law until it shall have been referred to a committee of each House and returned therefrom with a recommendation in writing.

SEC. 75. No law of a general nature, unless therein otherwise provided, shall be enforced until sixty days after its passage.

SEC. 76. In all elections by the Legislature the members shall vote *viva voce*, and the votes shall be entered on the journals.

SEC. 77. The Governor shall issue writs of election to fill such vacancies as may occur in either house of the Legislature, and the persons thereupon chosen shall hold the seats for the unexpired term.

Injunctions.

SEC. 78. It shall be the duty of the Legislature to regulate by law the cases in which deductions shall be made from salaries of public officers for neglect of official duty, and the amount of said deduction.

SEC. 79. The Legislature shall provide by law for the sale of all delinquent tax lands. The courts shall apply the same liberal principles in favor of such titles as in sale by execution. The right of redemption from all sales of real estate for the non-payment of taxes or special assessments of any and every character whatsoever shall exist on conditions to be prescribed by law in favor of owners and persons interested in such real estate for a period of not less than two years.

SEC. 80. Provision shall be made by general laws to prevent the abuse by cities, towns, and other municipal corporations, of their powers of assessment, taxation, borrowing money and contracting debts.

SEC. 81. The Legislature shall never authorize the permanent obstruction of any of the navigable waters of this State, but may provide for the removal of such obstructions as now exist whenever the

public welfare demands. This section shall not prevent the construction, under proper authority, of draw-bridges for railroads or other roads, nor the construction of "booms and chutes" for logs in such manner as not to prevent the safe passage of vessels or logs, under regulations to be provided by law.

SEC. 82. The Legislature shall fix the amount of the penalty of all official bonds, and may, as far as practicable, provide that the whole or a part of the security required for the faithful discharge of official duty shall be made by some guarantee company or companies.

SEC. 83. The Legislature shall enact laws to secure the safety of persons from fires in hotels, theaters, and other public places of resort.

SEC. 84. The Legislature shall enact laws to limit, restrict, or prevent the acquiring and holding of land in this State by non-resident aliens, and may limit or restrict the acquiring or holding of lands by corporations.

SEC. 85. The Legislature shall provide by general law for the working of public roads by contract or by county prisoners, or both. Such law may be put in operation only by a Board of Supervisors, in those counties where it may be desirable.

SEC. 86. It shall be the duty of the Legislature to provide by law for the treatment and care of the insane, and the Legislature may provide for the care of the indigent sick in the hospitals of the State.

SEC. 87. No special or local law shall be enacted for the benefit of individuals or corporations, in cases which are, or can be, provided for by a general law, or where the relief sought can be given by any court of this State; nor shall the operation of any general law be suspended by the Legislature for the benefit of any individual or private corporation or association, and in all cases where a general law can be made applicable, and would be advantageous, no special law shall be enacted.

SEC. 88. The Legislature shall pass general laws under which local and private interests shall be provided for and protected, and under which cities and towns may be chartered and their charters amended, and under which corporations may be created, organized, and their acts of incorporation altered, and all such laws shall be subject to repeal or amendment.

SEC. 89. There shall be appointed in each House of the Legislature a standing committee on local and private legislation; the House committee to consist of seven Representatives, and the Senate committee of five Senators. No local or private bill shall be passed by either House until it shall have been referred to said committee thereof, and shall have been reported back with a recommendation in writing that it do pass, stating affirmatively the reasons therefor, and why the end to be accomplished should not be reached by a general law, or by a proceeding in court; or if the recommendation of the committee be that the bill do not pass, then it shall not pass the House to which it is so reported, unless it be voted for by a majority of all the members elected thereto. If a bill is passed in conformity to the requirements hereof other than such as are prohibited in the next section, the courts shall not, because of its local, special or private nature, refuse to enforce it.

SEC. 90. The Legislature shall not pass local, private, or special

laws in any of the following enumerated cases, but such matters shall be provided for only by general laws, viz: (a) Granting divorces. (b) Changing the names of persons, places, or corporations. (c) Providing for change of venue in civil and criminal cases. (d) Regulating the rate of interest on money. (e) Concerning the settlement or administration of any estate, or the sale or mortgage of any property, of any infant, or a person of unsound mind, or of any deceased person. (f) The removal of the disability of infancy. (g) Granting to any person, corporation, or association the right to have any ferry, bridge, road, or fish-trap. (h) Exemption of property from taxation, or from levy or sale. (i) Providing for the adoption or legitimization of children. (j) Changing the law of descent and distribution. (k) Exempting any person from jury, road or other civil duty (and no person shall be exempted therefrom by force of any local or private law). (l) Laying out, opening, altering and working roads and highways. (m) Vacating any road or highway, town plat, street, alley, or public grounds. (n) Selecting, drawing, summoning, or impaneling grand or petit juries. (o) Creating, increasing, or decreasing the fees, salary, or emoluments of any public officer. (p) Providing for the management or support of any private or common school, incorporating the same or granting such school any privileges. (q) Relating to stock laws, water-courses, and fences. (r) Conferring the power to exercise the right of eminent domain, or granting to any person, corporation, or association the right to lay down railroad tracks, or street car tracks, in any other manner than that prescribed by general law. (s) Relating the practice in courts of justice. (t) Providing for the creation of districts for the election of Justices of the Peace and Constables. (u) Granting any lands under control of the State to any person or corporation.

Prohibitions.

SEC. 91. The Legislature shall not enact any law for one or more counties, not applicable to all the counties in the State, increasing the uniform charge for the registration of deeds, or regulating costs and charges and fees of officers.

SEC. 92. The Legislature shall not authorize payment to any person of the salary of a deceased officer beyond the date of his death.

SEC. 93. The Legislature shall not retire any officer on pay or part pay, or make any grant to such retiring officer.

SEC. 94. The Legislature shall never create by law any distinction between the rights of men and women to acquire, own, enjoy and dispose of property of all kinds, or their power to contract in reference thereto. Married women are hereby fully emancipated from all disability on account of coverture. But this shall not prevent the Legislature from regulating contracts between husband and wife, nor shall the Legislature be prevented from regulating the sale of homesteads.

SEC. 95. Lands belonging to, or under the control of, the State shall never be donated directly or indirectly to private corporations or individuals or to railroad companies. Nor shall such land be sold to corporations or associations for a less price than that for which it is subject to sale to individuals. This, however, shall not prevent the Legislature from granting a right of way, not exceeding one hundred

feet in width, as a mere easement, to railroads across State land, and the Legislature shall never dispose of the land covered by said right of way so long as such easement exists.

SEC. 96. The Legislature shall never grant extra compensation, fee or allowance to any public officer, agent, servant or contractor after service rendered or contract made, nor authorize payment or part payment of any claim under any contract not authorized by law, but appropriations may be made for expenditures in repelling invasion, preventing or suppressing insurrections.

SEC. 97. The Legislature shall have no power to revive any remedy which may have become barred by lapse of time or by any statute of limitation of this State.

SEC. 98. No lottery shall ever be allowed or be advertised by newspapers or otherwise, or its tickets be sold in this State, and the Legislature shall provide by law for the enforcement of this provision; nor shall any lottery heretofore authorized be permitted to be drawn or its tickets sold.

SEC. 99. The Legislature shall not elect any other than its own officers, State Librarian and United States Senators, but this section shall not prohibit the Legislature from appointing Presidential electors.

SEC. 100. No obligation or liability of any person, association or corporation, held or owned by this State, or Levee Board, or any county, city or town thereof, shall ever be remitted, released or postponed, or in any way diminished by the Legislature, nor shall such liability or obligation be extinguished except by payment thereof into the proper treasury; nor shall such liability or obligation be exchanged or transferred except upon payment of its face value; but this shall not be construed to prevent the Legislature from providing by general law for the compromise of doubtful claims.

SEC. 101. The seat of government of the State shall be at the city of Jackson, and shall not be removed or relocated without the assent of a majority of the electors of the State.

Miscellaneous.

SEC. 102. All general elections for State and county officers shall commence and be holden every four years, on the first Tuesday after the first Monday in November until altered by law, and the electors, in all cases, except in cases of treason, felony and breach of the peace, shall be privileged from arrest during their attendance at elections and in going to and returning therefrom.

SEC. 103. In all cases not otherwise provided for in this Constitution, the Legislature may determine the mode of filling all vacancies in all offices; and in cases of emergency, provisional appointments may be made by the Governor, to continue until the vacancy is regularly filled, and the Legislature shall provide suitable compensation for all officers, and shall define their respective powers.

SEC. 104. Statutes of limitation in civil causes shall not run against the State, or any sub-division or municipal corporation thereof.

SEC. 105. The Legislature shall provide for the enumeration of the whole number of inhabitants and the qualified electors of the State

once in every ten years, and the first enumeration shall be made during the two months beginning on the first Monday of June, 1895, and the Legislature shall provide for the same by law.

SEC. 106. There shall be a State Librarian, to be chosen by the Legislature on joint vote of the two Houses, to serve for four years, whose duties and compensations shall be prescribed by law. Any woman, a resident of the State four years, and who has attained the age of twenty years, shall be eligible to said office.

SEC. 107. All stationery, printing, paper, and fuel used by the Legislature, and other departments of the Government, shall be furnished; and the printing and binding of the laws, journals, department reports, and other printing and binding, and the repairing and furnishing the halls and rooms used for the meeting of the Legislature, and its committees, shall be performed under the contract, to be given to the lowest responsible bidder, below such maximum and under such regulations as may be prescribed by law. No member of the Legislature, or officer of any department, shall be in any way interested in such contract, and all such contracts shall be subject to the approval of the Governor and State Treasurer.

SEC. 108. Whenever the Legislature shall take away the duties pertaining to any office, then the salary of the officer shall cease.

SEC. 109. No public officer or member of the Legislature shall be interested directly or indirectly in any contract with the State, or any district, county, city, or town thereof, authorized by any law passed, or order made by any Board of which he may be or may have been a member during the term for which he shall have been chosen, or within one year after the expiration of such term.

SEC. 110. The Legislature may provide, by general law, for condemning rights of way for private roads, where necessary for ingress and egress, by the party applying, on due compensation being first made to the owner of the property, but such right of way shall not be provided for in incorporated towns and cities.

SEC. 111. All lands comprising a single tract sold in pursuance of decree of court, or execution, shall be first offered in sub-divisions not exceeding one hundred and sixty acres, or one-quarter section, and then offered as an entirety, and the price bid for the latter shall control only when it shall exceed the aggregate of the bids for the same in sub-divisions as aforesaid, but the Chancery Court, in cases before it, may decree otherwise if deemed advisable to do so.

SEC. 112. Taxation shall be uniform and equal throughout the State. Property shall be taxed in proportion to its value. The Legislature may, however, impose a tax *per capita* upon such domestic animals as from their nature and habits are destructive of other property. Property shall be assessed¹ for taxes under general laws, and by uniform rules, according to its true value. But the Legislature may provide for a special mode of valuation and assessments for railroads and railroad and other corporate property, or for particular species of property belonging to persons, corporations or associations not situated wholly in one county. But all such property shall be assessed at its true value, and no county shall be denied the right to levy county and

special taxes upon such assessment, as in cases of property situated and assessed in the county.

SEC. 113. The Auditor shall, within sixty days after the adjournment of the Legislature, prepare and publish a full statement of all money expended at such session, specifying the items and amount of each item, and to whom and for what paid, and he shall also publish the amounts of all appropriations.

SEC. 114. Returns of all elections by the people shall be made to the Secretary of State in such manner as shall be provided by law.

SEC. 115. The fiscal year of the State of Mississippi shall commence on the first day of October and end on the thirtieth day of September of each year, and the Auditor of Public Accounts and the Treasurer of the State shall compile and have published a full and complete report showing the transactions of their respective offices on or before the thirty-first day of December of each year, for the preceding fiscal year.

Executive.

SEC. 116. The chief executive power of this State shall be vested in a Governor, who shall hold his office for four years, and who shall be ineligible as his immediate successor in office.

SEC. 117. The Governor shall be at least thirty years of age, and shall have been a citizen of the United States twenty years, and shall have resided in this State five years next preceding the day of his election.

SEC. 118. The Governor shall receive for his services such compensation as may be fixed by law, which shall neither be increased nor diminished during his term of office.

SEC. 119. The Governor shall be commander-in-chief of the army and navy of the State and of the militia, except when they shall be called into the service of the United States.

SEC. 120. The Governor may require information in writing from the officers in the executive departments of the State on any subject relating to the duties of their respective offices.

SEC. 121. The Governor shall have power to convene the Legislature in extraordinary session whenever, in his judgment, the public interest requires it. Should the Governor deem it necessary to convene the Legislature, he shall do so by public proclamation, in which he shall state the subjects and matters to be considered by the Legislature when so convened, and the Legislature, when so convened as aforesaid, shall have no power to consider or act upon subjects or matters other than those designated in the proclamation of the Governor, by which the session is called, except impeachments and examination into the accounts of State officers. The Legislature, when so convened, may also act on and consider such other matters as the Governor may in writing submit to them while in session. The Governor may convene the Legislature at the seat of government, or at a different place if that shall become dangerous from an enemy or from disease, and in case of a disagreement between the two Houses, with respect to time of adjournment, adjourn them to such time as he shall think proper, not beyond the day of the next stated meeting of the Legislature.

SEC. 122. The Governor shall, from time to time, give the Legislature information of the state of the Government and recommend for consideration such measures as may be deemed necessary and expedient.

SEC. 123. The Governor shall see that the laws are faithfully executed.

SEC. 124. In all criminal and penal cases, excepting those of treason and impeachment, the Governor shall have power to grant reprieves and pardons; to remit fines, and in cases of forfeiture, to stay the collection until the end of the next session of the Legislature, and by and with the consent of the Senate, to remit forfeitures. In cases of treason he shall have power to grant reprieves, by and with the consent of the Senate, but may respite the sentence until the end of the next session of the Legislature, but no pardon shall be granted before conviction, and in cases of felony, after conviction, no pardon shall be granted until the applicant therefor shall have published for thirty days in some newspaper, in the county where the crime was committed, and in case there be no newspaper published in said county, then in an adjoining county, his petition for pardon, setting forth therein the reasons why such pardon should be granted.

SEC. 125. The Governor shall have the power, and it is hereby made his duty, to suspend alleged defaulting State and County Treasurers, and defaulting tax-collectors, pending the investigation of their respective accounts, and to make temporary appointments of proper persons to fill the offices while such investigations are being made, and the Legislature shall provide for the enforcement of this provision by appropriate legislation.

SEC. 126. There shall be a seal of the State, kept by the Governor, and used by him officially, and be called the great seal of the State of Mississippi.

SEC. 127. All commissions shall be in the name and by the authority of the State of Mississippi, be sealed with the great seal of the State, and be signed by the Governor, and attested by the Secretary of State.

SEC. 128. There shall be a Lieutenant-Governor, who shall be elected at the same time, in the same manner, and for the same term, and who shall possess the same qualifications as required of the Governor.

SEC. 129. The Lieutenant-Governor shall, by virtue of his office, be President of the Senate. In Committee of the Whole he may debate all questions, and when there is an equal division in the Senate, or on a joint vote of both Houses, he shall give the casting vote.

SEC. 130. The Lieutenant-Governor shall receive for his services the same compensation as the Speaker of the House of Representatives.

SEC. 131. When the office of Governor shall become vacant, by death or otherwise, the Lieutenant-Governor shall discharge the duties of said office until the Governor be able to resume his duties; but if, from disability or otherwise, the Lieutenant-Governor shall be incapable of performing said duties, or if he be absent from the State, the President of the Senate *pro tempore* shall act in his stead; but if there be no such President, or if he be disqualified by like disability, or be absent from the State, then the Speaker of the House of Representatives shall

assume the office of Governor and perform said duties; and in case of the inability of the foregoing officers to discharge the duties of Governor, the Secretary of State shall convene the Senate to elect a President *pro tempore*. The officer discharging the duties of Governor shall receive compensation as such. Should a doubt arise as to whether a vacancy has occurred in the office of Governor, or as to whether any of the disabilities mentioned in this section exist or shall have ended, then the Secretary of the State shall submit the question in doubt to the Judges of the Supreme Court, who, or a majority of whom, shall investigate and determine said question, and shall furnish to said Secretary of State an opinion in writing, determining the question submitted to them, which opinion when rendered as aforesaid shall be final and conclusive.

SEC. 132. In case the election for Lieutenant-Governor shall be contested, the contest shall be tried and determined in the same manner as a contest for the office of Governor.

SEC. 133. There shall be a Secretary of State, who shall be elected as herein provided. He shall be at least twenty-five years of age, a citizen of the State five years preceding the day of his election, and he shall continue in office during the term of four years, and shall be keeper of the proceedings of the Governor, and shall, when required, lay the same, and all papers, minutes and vouchers relative thereto, before the Legislature, and he shall perform such other duties as may be required of him by law. He shall receive such compensation as shall be prescribed.

SEC. 134. A State Treasurer and an Auditor of Public Accounts shall be elected as herein provided, who shall hold their offices for the term of four years, and shall possess the same qualifications as required for the Secretary of State; they shall receive such compensation as may be provided by law. Said Treasurer and Auditor of Public Accounts shall be ineligible to immediately succeed themselves or each other in office.

SEC. 135. All officers named in this article shall hold their offices during the term for which they were selected, unless removed, and until their successor shall be duly qualified to enter on the discharge of their respective duties.

SEC. 137. It shall be the duty of the State Treasurer, within ten days after the first day of January and July of each year, to publish a statement, under oath, in some newspaper published at the seat of government, showing the condition of the treasury on said days, the balance on hand and in what funds, together with a certificate of the Governor that he has verified the count of the funds in the treasury and found the balance stated by the Treasurer actually in the vaults of the treasury, or as the truth may be. And it shall be the duty of the Governor, at such other times as he may deem proper, to go to the Treasurer and verify the cash balance as shown by the books, and to publish the fact that he has done so, and whether the amount called for by the books be actually in the treasury, and stating whether the Treasurer had any notice whatever that the verification would be made.

SEC. 138. The Sheriff, Coroner, Treasurer, Assessor, Surveyor, Clerks of the Courts and members of the Board of Supervisors of the

several counties, and all other officers exercising local jurisdiction therein, shall be selected in the manner provided by law for each county.

SEC. 139. The Legislature may empower the Governor to remove and appoint officers in any county or counties or municipal corporations under such regulations as may be prescribed by law.

SEC. 140. The Governor of the State shall be chosen in the following manner: On the first Tuesday after the first Monday in November of A. D. 1895, and on the first Tuesday after the first Monday of November in every fourth year thereafter, until the day shall be changed by law, an election shall be held in the several counties and districts created for the election of members of the House of Representatives in this State, for Governor, and the person receiving in any county, or such legislative district, the highest number of votes cast therein for said office shall be holden to have received as many votes as such county or district is entitled to members in the House of Representatives, which last-named votes are hereby designated "electoral votes." In all cases where a Representative is apportioned to two or more counties or districts the electoral vote based on such representation shall be equally divided among such counties or districts. The returns of said election shall be certified by the Election Commissioners, or a majority of them, of the several counties and transmitted, sealed, to the seat of government, directed to the Secretary of State, and shall be, by him, safely kept and delivered to the Speaker of the House of Representatives at the next ensuing session of the Legislature within one day after he shall have been elected. The Speaker shall, on the next Tuesday after he shall have received said returns, open and publish them in the presence of the House of Representatives, and said House shall ascertain and count the vote of each county and legislative district and decide any contest that may be made concerning the same; and said decision shall be made by a majority of the whole number of members of the House of Representatives concurring therein, by a *viva voce* vote, which shall be recorded in its journal; *Provided*, In case the two highest candidates have an equal number of votes in any county or legislative district, the electoral vote of such county or legislative district shall be considered as equally divided between them. The person found to have received a majority of all the electoral votes, and also a majority of the popular vote, shall be declared elected.

SEC. 141. If no person shall receive such majorities, then the House of Representatives shall proceed to choose a Governor from the two persons who shall have received the highest number of popular votes. The election shall be by *viva voce* vote, which shall be recorded in the journal in such manner as to show for whom each member voted.

SEC. 142. In case of an election of Governor or any State officer by the House of Representatives, no member of that house shall be eligible to receive any appointment from the Governor or other State officer so elected during the term for which he shall be selected.

SEC. 143. All other State officers shall be elected at the same time, and in the same manner as provided for election of Governor.

ARTICLE VI.

Judiciary.

SEC. 144. The judicial power of the State shall be vested in a Supreme Court and such other courts as are provided for in this Constitution.

SEC. 145. The Supreme Court shall consist of three judges, any two of whom, when convened, shall form a quorum. The Legislature shall divide the State into three Supreme Court districts, and the Governor, by and with the advice and consent of the Senate, shall appoint one judge for and from each district; but the removal of a judge to the State capital during his term of office shall not render him ineligible as his own successor for the district from which he has removed. The present incumbents shall be considered as holding their terms of office from the State at large.

SEC. 146. The Supreme Court shall have such jurisdiction as properly belongs to a Court of Appeals.

SEC. 147. No judgment or decree in any Chancery or Circuit Court rendered in a civil cause shall be reversed or annulled on the ground of want of jurisdiction to render said judgment or decree, from any error or mistake as to whether the cause in which it was rendered was of equity or common law jurisdiction; but if the Supreme Court shall find error in the proceedings other than as to jurisdiction and it shall be necessary to remand the case, the Supreme Court may remand it to that court which, in its opinion, can best determine the controversy.

SEC. 148. The Supreme Court shall be held twice in each year at the seat of government, at such time as the Legislature may provide.

SEC. 149. The term of office of the Judges of the Supreme Court shall be nine years. The office of one of said judges shall be vacated in three years, one in six years and one in nine years, so that at the expiration of every three years one of said judges shall be appointed as aforesaid.

SEC. 150. No person shall be eligible to the office of Judge of the Supreme Court who shall not have attained the age of thirty years at the time of his appointment, and who shall not have been a practicing attorney and a citizen of the State for five years immediately preceding such appointment.

SEC. 151. All vacancies which may occur in said court from death, resignation or removal, shall be filled by appointment as aforesaid, but if a vacancy shall occur during the recess of the Legislature, the Governor shall appoint a successor, who shall hold his office until the end of the next session of the Senate, unless his nomination shall be sooner rejected.

SEC. 152. The Legislature shall divide the State into convenient Circuit and Chancery Court districts.

SEC. 153. The Judges of the Circuit Courts and of the Chancery Courts shall be appointed by the Governor, with the advice and consent of the Senate, and shall hold their offices for the term of four years.

SEC. 154. No person shall be eligible to the office of Judge of the Circuit Court, or of the Chancery Court, who shall not have been a

practicing lawyer for five years, and who shall not have attained the age of twenty-six years, and who shall not have been five years a citizen of this State.

SEC. 155. The judges of the several courts of this State shall, before they proceed to execute the duties of their respective offices, take the following oath or affirmation, to-wit :

"I, ———, solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as ———, according to the best of my ability and understanding, agreeably to the Constitution of the United States and the Constitution and laws of the State of Mississippi. So help me God."

SEC. 156. The Circuit Court shall have original jurisdiction in all matters civil and criminal in this State not vested by this Constitution in some other court, and such appellate jurisdiction as shall be prescribed by law.

SEC. 157. All cases that may be brought in the Circuit Court whereof the Chancery Court has exclusive jurisdiction shall be transferred to the Chancery Court.

SEC. 158. A Circuit Court shall be held in each county at least twice in each year, and the judges of said courts may interchange circuits with each other in such manner as may be provided by law.

SEC. 159. The Chancery Court shall have full jurisdiction in the following matter and cases, viz: (a) All matters in equity. (b) Divorce and alimony. (c) Matters testamentary and of administration. (d) Minors' business. (e) Cases of idiocy, lunacy, and persons of unsound mind. (f) All cases of which the said court had jurisdiction under the laws in force when this Constitution is put in operation.

SEC. 160. And in addition to the jurisdiction heretofore exercised by the Chancery Court in suits to try title and to cancel deeds and other clouds upon title to real estate, it shall have jurisdiction in such cases to decree possession, and to displace possession, to decree rents and compensation for improvements and taxes, and in all cases where said court heretofore exercised jurisdiction, auxiliary to courts of common law, it may exercise such jurisdiction to grant the relief sought, although the legal remedy may not have been exhausted or the legal title established by a suit at law.

SEC. 161. And the Chancery Court shall have jurisdiction concurrent with the Circuit Court of suits on bonds of fiduciaries and public officers for failure to account for money or property received or wasted or lost by neglect or failure to collect, and of suits involving inquiry into matters of mutual accounts; but if the plaintiff brings his suit in the Circuit Court, that court may, on application of the defendant, transfer the cause to the Chancery Court, if it appears that the accounts to be investigated are mutual and complicated.

SEC. 162. All causes that may be brought in the Chancery Court whereof the Circuit Court has exclusive jurisdiction shall be transferred to the Circuit Court.

SEC. 163. The Legislature shall provide by law for the due certifi-

cation of all causes that may be transferred to or from any Chancery Court or Circuit Court for such reformation of the pleadings therein as may be necessary, and the adjudication of the costs of such transfer.

SEC. 164. A Chancery Court shall be held in each county at least twice in each year.

SEC. 165. No judge of any court shall preside on the trial of any cause when the parties, or either of them, shall be connected with him by affinity or consanguinity, or where he may be interested in the same, except by the consent of the judge and of the parties. Whenever any Judge of the Supreme Court or the Judge or Chancellor of any district in this State shall, for any reason, be unable or disqualified to preside at any term of court, or in any case where the attorneys engaged therein shall not agree upon a member of the bar to preside in his place, the Governor may commission another, or others, of law knowledge to preside at such term or during such disability or disqualification in the place of the judge or judges so disqualified. Where either party shall desire, the Supreme Court for the trial of any cause shall be composed of three judges. No judgment or decree shall be affirmed by disagreement of two judges constituting a quorum.

SEC. 166. The Judges of the Supreme Court, of the Circuit Court, and the Chancellors shall receive for their services a compensation to be fixed by law, which shall not be increased or diminished during their continuance in office.

SEC. 167. All civil officers shall be conservators of the peace, and shall be by law vested with ample power as such.

SEC. 168. The Clerk of the Supreme Court shall be elected as other State officers for the term of four years, and the Clerk of the Chancery Court shall be selected in each county, in the manner provided by law, and shall hold office for the term of four years, and the Legislature shall provide by law what duties shall be performed during vacation by the Clerks of the Circuit and Chancery Courts, subject to the approval of the courts.

SEC. 169. The style of all process shall be "The State of Mississippi," and all prosecutions shall be carried on in the name and by the authority of the "State of Mississippi," and all indictments shall conclude "against the peace and dignity of the State."

SEC. 170. Each county shall be divided into five districts. A resident freeholder of each district shall be selected, in the manner prescribed by law, and the five so chosen shall constitute the Board of Supervisors of the county, a majority of whom may transact business. The Board of Supervisors shall have full jurisdiction over roads, ferries, and bridges, to be exercised in accordance with such regulations as the Legislature may prescribe, and perform such other duties as may be required by law. The Clerk of the Chancery Court of each county shall be Clerk of the Board of Supervisors.

SEC. 171. A competent number of justices of the peace and constables shall be chosen in each county, in the manner provided by law, for each district, who shall hold their office for a term of four years. No person shall be eligible to the office of justice of the peace who shall not have resided two years in the district next preceding his selec-

tion. The jurisdiction of the justices of the peace shall extend to causes in which the principal amount in controversy shall not exceed the sum of two hundred dollars, and they shall have jurisdiction concurrent with the Circuit Court over all crimes whereof the punishment prescribed does not extend beyond a fine and imprisonment in the county jail; but the Legislature may confer on the justices of the peace exclusive jurisdiction in such petty misdemeanors as it shall see proper. In all causes tried by a justice of the peace, the right of appeal shall be secured under such rules and regulations as shall be prescribed by law, and no justice of the peace shall preside at the trial of any cause where he may be interested, or the parties either of them shall be connected with him by affinity or consanguinity, except by consent of the justice of the peace and of the parties.

SEC. 172. The Legislature shall, from time to time, establish such other inferior courts as may be necessary, and abolish the same whenever deemed expedient.

SEC. 173. There shall be an Attorney-General elected at the same time and in the same manner as the Governor is elected, whose term of office shall be four years, and whose compensation shall be fixed by law. The qualifications for the Attorney-General shall be the same as herein prescribed for judges of the Circuit and Chancery Courts.

SEC. 174. A District Attorney for each Circuit Court district shall be selected in the manner provided by law, and whose compensation shall be a fixed salary.

SEC. 175. All public officers, for willful neglect of duty, or misdemeanor in office, shall be liable to presentment or indictment by a grand jury, and, upon conviction, shall be removed from office, and otherwise punished, as may be prescribed by law.

SEC. 176. No person shall be a member of the Board of Supervisors who is not a resident freeholder in the district for which he is chosen. The value of real estate necessary to be owned to qualify persons in the several counties to be members of said Board, shall be fixed by law.

SEC. 177. The Governor shall have power to fill any vacancy which may happen during the recess of the Senate, in the office of Judge or Chancellor, by making a temporary appointment of an incumbent, which shall expire at the end of the next session of the Senate, unless a successor shall be sooner appointed and confirmed by the Senate. When a temporary appointment of a Judge or Chancellor has been made during the recess of the Senate, the Governor shall have no power to remove the person or appointee, nor power to withhold his name from the Senate for their action.

ARTICLE VII.

Corporations.

SEC. 178. Corporations shall be formed under general laws only. The Legislature shall have power to alter, amend or repeal any charter of incorporation now existing, and revokable, and any that may hereafter be created, whenever in its opinion it may be for the public interest to do so. *Provided, however,* That no injustice shall be done to the stockholders. No charter for any private corporations for pecuniary gain shall be granted for a longer period than ninety-nine years. In

assessing for taxation the property and franchises of corporations having charters for a longer period than ninety-nine years, the increased value of such property and franchises arising from such longer duration of their charters shall be considered and assessed, but any such corporation shall have the right to surrender the excess over ninety-nine years of its charter.

SEC. 179. The Legislature shall never remit the forfeiture of the franchise of any corporation now existing, nor alter nor amend the charter thereof, nor pass any general nor special law for the benefit of such corporation, except upon the condition that such corporation shall thereafter hold its charter and franchises subject to the provisions of this Constitution, and the reception by any corporation of any provision of any such laws, or the taking of any benefit or advantage from the same, shall be conclusively held an agreement by such corporation to hold thereafter its charter and franchises under the provisions hereof.

SEC. 180. All existing charters or grants of corporate franchise under which organizations have not in good faith taken place at the adoption of this Constitution, shall be subject to the provisions of this article, and all such charters under which organizations shall not take place in good faith and business be commenced within one year from the adoption of this Constitution, shall thereafter have no validity; and every charter or grant of corporate franchise hereafter made, shall have no validity unless an organization shall take place thereunder and business be commenced within two years from the date of such charter or grant.

SEC. 181. The property of all private corporations for pecuniary gain shall be taxed in the same way and to the same extent as the property of individuals, but the Legislature may provide for the taxation of banks and banking capital by taxing the shares according to the value thereof (augmented by the accumulations, surplus and unpaid dividends) exclusive of real estate, which shall be taxed as other real estate. Exemptions from taxation to which corporations are legally entitled at the adoption of this Constitution, shall remain in full force and effect for the time of such exemptions as expressed in their respective charters, or by general laws, unless sooner repealed by the Legislature. And domestic insurance companies shall not be required to pay a greater tax in the aggregate than is required to be paid by foreign insurance companies doing business in this State, except to the extent of the excess of their *ad valorem* tax over the privilege tax imposed upon such foreign companies, and the Legislature may impose privilege taxes on building and loan associations in lieu of all other taxes, except on their real estate.

SEC. 182. The power to tax corporations and their property shall never be surrendered or abridged by any contract or grant to which the State or any political sub-division thereof may be a party, except that the Legislature may grant exemption from taxation in the encouragement of manufactures and other new enterprises of public utility entitled to such exemptions, and shall prescribe the mode and manner in which the right to such exemptions shall be determined.

SEC. 183. No county, city, town or other municipal corporation

shall hereafter become a subscriber to the capital stock of any railroad or other corporation or association, or make appropriation, or loan its credit in aid of such corporation or association. All authority heretofore conferred for any of the purposes aforesaid by the Legislature or by the charter of any corporation, is hereby repealed. Nothing in this section contained shall affect the right of any such corporation, municipality or county to make such subscription where the same has been authorized under laws existing at the time of the adoption of this Constitution, and by a vote of the people thereof, had prior to its adoption, and where the terms of submission and subscription have been or shall be complied with, or to prevent the issue of renewal bonds, or the use of such other means as are or may be prescribed by law for the payment or liquidation of such subscription, or of any existing indebtedness.

SEC. 184. All railroads which carry persons or property for hire shall be public highways, and all railroad companies so engaged shall be common carriers. Any company organized for that purpose under the laws of the State shall have the right to construct and operate a railroad between any points in this State, and to connect at the State line with the railroads of other States. Every railroad company shall have the right with its road to intersect, connect with, or cross any other railroad, and all railroad companies shall receive and transport each other's passengers, tonnage and cars, loaded or empty, without unnecessary delay or discrimination.

SEC. 185. The rolling stock belonging to any railroad company or corporation in this State shall be considered personal property and shall be liable to execution and sale as such.

SEC. 186. The Legislature shall pass laws to prevent abuses, unjust discrimination and extortion in all charges of express, telephone, sleeping-car, telegraph and railroad companies, and shall enact laws for the supervision of railroads, express, telephone, telegraph, sleeping-car companies and other common carriers in this State, by commission or otherwise, and shall provide adequate penalties to the extent, if necessary for that purpose, of forfeiture of their franchises.

SEC. 187. No railroad hereafter constructed in this State shall pass within three miles of any county seat without passing through the same and establishing and maintaining a depot therein, unless prevented by natural obstacles. *Provided*, Such town or its citizens shall grant the right-of-way through its limits and sufficient ground for ordinary depot purposes.

SEC. 188. No railroad or other transportation company shall grant free passes or tickets, or passes or tickets at a discount, to members of the Legislature, or any State, district, county or municipal officers, except Railroad Commissioners. The Legislature shall enact suitable laws for the detection, prevention and punishment of violations of this provision.

SEC. 189. All charters granted to private corporations in this State shall be recorded in the Chancery Clerk's office of the county in which the principal office or place of business of such company shall be located.

SEC. 190. The exercise of the right of eminent domain shall never be abridged or so construed as to prevent the Legislature from taking the property and franchises of incorporated companies and subjecting them to public use; and the exercise of the police power of the State shall never be abridged, or so construed as to permit corporations to conduct their business in such manner as to infringe upon the rights of individuals, or the general well-being of the State.

SEC. 191. The Legislature shall provide for the protection of the employes of all corporations doing business in this State, from interference with their social, civil, or political rights by said corporations, their agents or employes.

SEC. 192. Provisions shall be made by general laws whereby cities and towns may be authorized to aid and encourage the establishment of manufactories, gas-works, water-works and other enterprises of public utility other than railroads, within the limits of said cities or towns, by exempting all property used for such purposes from municipal taxation for a period not longer than ten years.

SEC. 193. Every employe of any railroad corporation shall have the same right and remedies for any injury suffered by him from the act of omission of said corporation or its employes, where the injury results from the negligence of a superior agent or officer, or of a person having the right to control or direct the services of the party injured; and also when the injury results from the negligence of a fellow servant on another train of cars, or one engaged about a different piece of work. Knowledge by any employe injured of the defective or unsafe character or condition of any machinery, ways, or appliances, shall be no defense to an action for injury caused thereby, except as to conductors or engineers in charge of dangerous or unsafe cars or engines voluntarily employed by them. Where death ensues from any injury to employes, the legal or personal representatives of the person injured shall have the same right and remedies as are allowed by law to such representatives of other persons. Any contract or agreement, expressed or implied, made by any employe to waive the benefit of this section, shall be null and void, and this section shall not be construed to deprive any employe of a corporation, or his legal or personal representative, of any right or remedy that he now has by the law of the land. The Legislature may extend the remedies herein provided for to any other class of employes.

SEC. 194. The Legislature shall provide by law, that in all elections for directors or managers of incorporated companies, every stockholder shall have the right to vote in person or by proxy, for the number of shares of stock owned by him, for as many persons as there are directors or managers to be elected; or to cumulate said shares, so as to give one candidate as many votes as the number of directors, multiplied by the number of his shares of stock shall equal, or to distribute them on the same principle among as many candidates as he may see fit, and such directors or managers shall not be elected in any other manner; but no person who is engaged or interested in a competing business, either individually or as an employe or stockholder, shall serve on any Board of Directors of any corporation without the consent of a majority in interest of the stockholders thereof.

SEC. 195. Express, telegraph, telephone and sleeping-car companies are declared common carriers in their respective lines of business, and subject to liability as such.

SEC. 196. No transportation corporation shall issue stocks or bonds except for money, labor done, or in good faith agreed to be done, or money or property actually received, and all fictitious increase of stock or indebtedness shall be void.

SEC. 197. The Legislature shall not grant to any foreign corporation or association a license to build, operate or lease any railroad in this State; but in all cases where a railroad is to be built or operated, and the same shall be partly in this State and partly in another State, or in other States, the owners or projectors thereof shall first become incorporated under the laws of this State. Nor shall any foreign corporation or association lease or operate any railroad in this State or purchase the same, or any interest therein. Consolidation of any railroad lines and corporations in this State with others shall be allowed only where the consolidated company shall become a domestic corporation of this State. No general or special law shall ever be passed for the benefit of any foreign corporation operating a railroad under an existing license from this State, or under an existing lease, and no grant of any right or privilege, and no exemption from any burden, shall be made to any such foreign corporation except upon the condition that the owners or stockholders thereof shall first organize a corporation in this State under the laws thereof, and shall thereafter operate and manage the same, and the business thereof, under said domestic charter.

SEC. 198. The Legislature shall enact laws to prevent all trusts, combinations, contracts and agreements inimical to the public welfare.

SEC. 199. The term corporation used in this article shall include all associations and all joint stock companies for pecuniary gain, having privileges not possessed by individuals or partnerships.

SEC. 200. The Legislature shall enforce the provisions of this article by appropriate legislation.

ARTICLE VIII.

Education.

SEC. 201. It shall be the duty of the Legislature to encourage, by all suitable means, the promotion of intellectual, scientific, moral, and agricultural improvement, by establishing a uniform system of free public schools, by taxation or otherwise, for all children between the ages of five and twenty-one years, and, as soon as practicable, to establish schools of higher grade.

SEC. 202. There shall be a Superintendent of Public Education elected at the same time and in the same manner as the Governor, who shall have the qualifications required of the Secretary of State, and hold his office for four years, and until his successor shall be elected and qualified, who shall have the general supervision of the common schools, and of the educational interests of the State, and who shall perform such other duties and receive such compensation as shall be prescribed by law.

SEC. 203. There shall be a Board of Education, consisting of the

Secretary of State, the Attorney-General, and the Superintendent of Public Education, for the management and investment of the school funds, according to law, and for the performance of such other duties as may be prescribed. The Superintendent and one other of said Board shall constitute a quorum.

SEC. 204. There shall be a Superintendent of Public Education in each county, who shall be appointed by the Board of Education, by and with the advice and consent of the Senate, whose term of office shall be four years, and whose qualifications, compensation and duties shall be prescribed by law; *Provided*, That the Legislature shall have power to make the office of County School Superintendent of the several counties elective, or may otherwise provide for the discharge of the duties of County Superintendent, or abolish said office.

SEC. 205. A public school shall be maintained in each school district in the county at least four months during each scholastic year. A school district neglecting to maintain its school four months shall be entitled to only such part of the free school fund as may be required to pay the teacher for the time actually taught.

SEC. 206. There shall be a common school fund, which shall consist of the poll-tax (to be retained in the counties where the same is collected) and an additional sum from the general fund in the State treasury, which together shall be sufficient to maintain the common schools for the term of four months in each scholastic year. But any county or separate school district may levy an additional tax to maintain its schools for a longer time than the term of four months. The common school fund shall be distributed among the several counties and separate school districts in proportion to the number of educable children in each, to be determined from data collected through the office of the State Superintendent of Education, in the manner to be prescribed by law.

SEC. 207. Separate schools shall be maintained for children of the white and colored races.

SEC. 208. No religious or other sect, or sects, shall ever control any part of the school or other educational funds of this State; nor shall any funds be appropriated towards the support of any sectarian school; or to any school that at the time of receiving such appropriation is not conducted as a free school.

SEC. 209. It shall be the duty of the Legislature to provide by law for the support of institutions for the education of the deaf, dumb, and blind.

SEC. 210. No public officer of this State, or of any district, county, city or town thereof, nor any teacher or trustee of any public school, shall be interested in the sale, proceeds or profits of any books, apparatus or furniture to be used in any public school in this State. Penalties shall be provided by law for the violation of this section.

SEC. 211. The Legislature shall enact such laws as may be necessary to ascertain the true condition of the title to the sixteenth sections of lands in this State, or land granted in lieu thereof, in the Choctaw purchase, and shall provide that the sixteenth section lands reserved for the support of township schools shall not be sold, nor shall they

be leased for a longer term than ten years for a gross sum; but the Legislature may provide for the lease of any of said lands for a term not exceeding twenty-five years for a ground rental, payable annually, and, in case of uncleared lands, may lease them for such short term as may be deemed proper in consideration of the improvement thereof, with right thereafter to lease for a term or to hold on payment of ground-rent.

SEC. 212. The rate of interest on the fund known as the Chickasaw School Funds, and other trust funds for educational purposes, for which the State is responsible, shall be fixed and remain as long as said funds are held by the State, at six per centum per annum, from and after the close of the fiscal year A. D. 1891, and the distribution of said interest shall be made semi-annually on the first of May and November of each year.

SEC. 213. The State having received and appropriated the land donated to it for the support of agricultural and mechanical colleges, by the United States, and having, in furtherance of the beneficent design of Congress in granting said land, established the Agricultural and Mechanical College of Mississippi, and the Alcorn Agricultural and Mechanical College, it is the duty of the State to sacredly carry out the conditions of the act of Congress upon the subject, approved July 2, A. D. 1862, and the Legislature shall preserve intact the endowments to, and support, said colleges.

ARTICLE IX.

Militia.

SEC. 214. All able-bodied male citizens of the State between the ages of eighteen and forty-five years shall be liable to military duty in the militia of this State, in such manner as the Legislature may provide.

SEC. 215. The Legislature shall provide for the organizing, arming, equipping and disciplining of the militia, and for paying the same when called into active service.

SEC. 216. All officers of militia, except non-commissioned officers, shall be appointed by the Governor, by and with the consent of the Senate, or elected, as the Legislature may determine, and no commissioned officer shall be removed from office except by the Senate, on suggestion of the Governor, stating the ground on which such removal is recommended, or by the decision of the court-martial, pursuant to law, or at his own request.

SEC. 217. The Governor shall be Commander-in-Chief of the militia, except when it is called into the service of the United States, and shall have power to call forth the militia to execute the laws, repel invasion, and to suppress riots and insurrections.

SEC. 218. The Governor shall nominate, and, with the consent of the Senate, commission one Major-General for the State, who shall be a citizen thereof, and also one Brigadier-General from each Congressional district, who shall be a resident of the district for which he shall be appointed, and each district shall constitute a militia division.

SEC. 219. The Adjutant-General and other staff officers to the Commander-in-Chief shall be appointed by the Governor, and their

appointment shall expire with the Governor's term of office, and the Legislature shall provide by law a salary for the Adjutant-General, commensurate with the duties of said office.

SEC. 220. The militia shall be exempt from arrest during their attendance on musters, and in going to and returning from the same, except in case of treason, felony, or breach of the peace.

SEC. 221. The Legislature is hereby required to make an annual appropriation for the efficient support and maintenance of the Mississippi National Guard, which shall consist of not less than one hundred men for each Senator and Representative to which this State may be entitled in the Congress of the United States; but no part of such funds shall be used in the payment of said guard except when in actual service.

SEC. 222. The Legislature shall empower the Board of Supervisors of each county in the State to aid in supporting a military company or companies of the Mississippi National Guard, within its borders, under such regulations, limitations, and restrictions as may be prescribed by law.

ARTICLE X.

The Penitentiary and Prisons.

SEC. 223. No penitentiary convict shall ever be leased or hired to any person or persons, or corporation, private or public, or *quasi*-public or Board, after December 31, A. D. 1894, save as authorized in the next section; nor shall any previous lease or hiring of convicts extend beyond that date, and the Legislature shall abandon the system of said leasing or hiring as much sooner than the date mentioned as may be consistent with the economic safety of the State.

SEC. 224. The Legislature may authorize the employment, under State supervision and the proper officers and employes of the State, of convicts on public roads or other public works, or by any Levee Board on any public levees, under such provisions and restrictions as it may from time to time see proper to impose; but said convicts shall not be let or hired to any contractors under said Board, nor shall the working of convicts on public roads or public works or by any Levee Board, ever interfere with the preparation for, or the cultivation of, any crop which it may be intended shall be cultivated by the said convicts, nor interfere with the good management of the State farm, nor put the State to any expense.

SEC. 225. The Legislature may place the convicts on a State farm or farms, and have them worked thereon under State supervision exclusively, in tilling the soil or manufacturing, or both, and may buy farms for that purpose. It may establish a reformatory school or schools, and provide for keeping of juvenile offenders from association with hardened criminals. It may provide for the commutation of the sentence of convicts for good behavior, and for the constant separation of the sexes, and for the separation of the white and black convicts as far as practicable, and for religious worship for the convicts.

SEC. 226. Convicts sentenced to the county jail shall not be hired or leased to any person or corporation outside the county of their conviction after the first day of January, A. D. 1893, nor for a term which shall extend beyond that date.

ARTICLE XI.

Levees.

SEC. 227. A levee system shall be maintained in the State as provided in this article.

SEC. 228. The division heretofore made by the Legislature of the alluvial land of the State into two levee districts, viz.: The Yazoo-Mississippi Delta Levee District, and the Mississippi Levee District, as shown by the laws creating the same, and the amendments thereto, is hereby recognized, and said district shall so remain until changed by law, but the Legislature may hereafter add to either of said districts any other alluvial land in the State.

SEC. 229. There shall be a Board of Levee Commissioners for the Yazoo-Mississippi Delta Levee District, which shall consist of two members from each of the counties of Coahoma and Tunica, and one member from each of the remaining counties or parts of counties now or hereafter embraced within the limits of said district, and the Governor may appoint a stockholder in the Louisville, New Orleans & Texas Railway Company as an additional commissioner; and there shall also be a Board of Levee Commissioners for the Mississippi Levee District, which shall consist of two members from each of the counties of Bolivar and Washington, and one from each of the counties of Issaquena and Sharkey. In the event of the formation of a new county or counties out of the territory embraced in either or both of said levee districts, such new counties shall each be entitled to representation and membership in the proper Board or Boards.

SEC. 230. All of said commissioners shall be qualified electors of the respective counties or parts of counties from which they may be chosen, except the one selected for the Louisville, New Orleans & Texas Railway Company; and the Legislature shall provide that they shall each give bond for the faithful performance of his duties, and shall fix the penalty thereof; but the penalty of such bond in no instance shall be fixed at less than \$10,000, and the sureties thereon shall be freeholders of the district.

SEC. 231. When the terms of the present Levee Commissioners shall expire, or whenever a vacancy shall occur or be about to occur in either of said Boards, the Governor shall make appointments to fill vacancies, subject to the confirmation of the Senate. The terms of office of said commissioners shall remain as provided by law at the adoption of this Constitution, but this provision shall not require the appointment of a commissioner for the Louisville, New Orleans & Texas Railway Company, except in the discretion of the Governor as provided.

SEC. 232. The commissioners of said levee districts shall have supervision of the erection, repair and maintenance of levees in their respective districts.

SEC. 233. The Levee Boards shall have, and are hereby granted, authority and full power to appropriate private property in their respective districts for the purpose of constructing, maintaining, and repairing levees therein; and when any owner of land, or any other person interested therein, shall object to the location or building of the

levee thereon, or shall claim compensation for any that may be taken, or for any damages he may sustain in consequence thereof, the President or other proper officer or agent of such Levee Board, or owner of such land, or other person interested therein, may forthwith apply for an assessment of the damages to which said person claiming the same may be entitled; whereupon the proceedings as now provided by law shall be taken, viz.: In the Mississippi Levee District, in accordance with the terms and provisions of Section 3 of an act entitled "An act to amend an act to incorporate the Board of Levee Commissioners for Bolivar, Washington, and Issaquena counties, and for other purposes," approved November 27, A. D. 1865, and to revise acts amendatory thereof, approved March 13, A. D. 1884; and in the Yazoo-Mississippi Delta Levee district, in accordance with the terms and provisions of Section 3 of an act entitled "An act to incorporate the Board of Levee Commissioners for the Yazoo-Mississippi Delta, and for other purposes," approved February 28, A. D. 1884, and the amendments thereto; but the Legislature shall have full power to alter and amend said several acts, and to provide different manners of procedure.

SEC. 234. No bill changing the boundaries of the district or affecting the taxation or revenue of the Yazoo-Mississippi Delta Levee District, or the Mississippi Levee District, shall be considered by the Legislature unless said bill shall have been published in some newspaper in the county in which is situated the domicile of the Board of Levee Commissioners of the levee district to be affected thereby, for four weeks prior to the introduction thereof into the Legislature, and no such bill shall be considered for final passage by either the Senate or House of Representatives, unless the same shall have been referred to, and reported on, by an appropriate committee of each House in which the same may be pending; and no such committee shall consider or report on any such bill unless publication thereof shall have been made as aforesaid.

SEC. 235. Each Levee Board shall make at the end of each fiscal year, to the Governor of this State, a report showing the condition of the levees, and recommending such additional legislation on the subject of the system as shall be thought necessary, and showing the receipts and expenditures of the Board, so that each item, the amount and consideration therefor, shall distinctly appear, together with such other matters as it shall be thought proper to call to the attention of the Legislature.

SEC. 236. The Legislature shall impose for levee purposes, in addition to levee taxes heretofore levied or authorized by law, a uniform tax of not less than two nor more than five cents an acre, per annum, upon every acre of land now or hereafter embraced within the limits of either, or both, of said levee districts. The taxes so derived shall be paid into the treasury of the Levee Board of the district in which the land charged with the same is situated, and the Legislature, by the act imposing said tax, shall authorize said Levee Boards to fix the annual rate of taxation per acre within the limits aforesaid, and thereby require said Levee Boards, whenever a reduction is made by them in their other taxes, to make a proportionate reduction in the acreage tax hereinbefore mentioned; but said acreage tax shall not be reduced below two cents an acre per annum, and all reductions in such taxations shall be uni-

form in each of said districts; but the rate of taxation need not be the same in both of them, and such specific taxes shall be assessed on the same assessment roll and collected under the same penalties as the *ad valorem* taxes for levee purposes, and shall be paid at the same time with the latter. And no Levee Boards shall ever be permitted to buy lands when sold for taxes, but the State shall have a prior lien for the taxes due thereto. The Legislature may provide for the discontinuance of the tax on cotton, but not in such a manner as to affect outstanding bonds based on it; and, on the discontinuance of the tax on cotton, shall impose another tax in lieu thereof, but the Legislature may repeal the acreage tax required to be levied hereby after the first day of January, A. D. 1895.

SEC. 237. The Legislature shall have full power to provide such system of taxation for said levee districts as it shall from time to time deem wise and proper.

SEC. 238. No property situated between the levee and the Mississippi river shall be taxed for levee purposes, nor shall damage be paid to any owner of land so situated because of it being left outside a levee.

SEC. 239. The Legislature shall require the Levee Boards to publish at each of their sessions an itemized account embracing their respective receipts since the prior session, and such appropriations as have been made or ordered by them respectively, in some newspaper or newspapers of the district.

ARTICLE XII.

Franchise.

SEC. 240. All elections by the people shall be by ballot.

SEC. 241. Every male inhabitant of this State, except idiots, insane persons, and Indians not taxed, who is a citizen of the United States, twenty-one years old and upward, who has resided in this State two years, and one year in the election district, or in the incorporated city or town in which he offers to vote, and who is duly registered, as provided in this article, and who has never been convicted of bribery, burglary, theft, arson, obtaining money or goods under false pretenses, perjury, forgery, embezzlement or bigamy, and who has paid on or before the first day of February of the year in which he shall offer to vote, all taxes which may have been legally required of him, and which he has had an opportunity of paying according to law, for the two preceding years, and who shall produce to the officers holding the election satisfactory evidence that he has paid said taxes, is declared to be a qualified elector; but any of the ministers of the Gospel in charge of an organized church shall be entitled to vote after six months' residence in the election district, if otherwise qualified.

SEC. 242. The Legislature shall provide by law for the registration of all persons entitled to vote at any election; and all persons offering to register shall take the following oath or affirmation: "I, ———, do solemnly swear (or affirm) that I am twenty-one years old (or I will be before the next election in this county), and that I will have resided in this State two years, and ——— election district of ——— county, one year next preceding the ensuing election (or if it be stated in the oath that the person proposing to register is a minister of the Gospel in

charge of an organized church, then it will be sufficient to aver therein two years' residence in the State and six months in said election district), and am now in good faith a resident of the same, and that I am not disqualified from voting by reason of having been convicted of any crime named in the Constitution of this State as a disqualification to be an elector; that I will truly answer all questions propounded to me concerning my antecedents so far as they relate to my right to vote, and also as to my citizenship in this district; that I will faithfully support the Constitution of the United States and of the State of Mississippi, and will bear true faith and allegiance to the same. So help me God." In registering voters in cities and town, not wholly in one election district, the name of such city or town may be substituted in the oath for the election district. Any willful and corrupt false statement in said affidavit or in answer to any material question propounded as herein authorized, shall be perjury.

SEC. 243. A uniform poll tax of two dollars, to be used in aid of the common schools, and for no other purpose, is hereby imposed on every male inhabitant of this State, between the ages of twenty-one and sixty years, except persons who are deaf and dumb, or blind, or who are maimed by loss of hand or foot, said tax to be a lien only upon taxable property. The Board of Supervisors of any county may, for the purpose of aiding the common schools in that county, increase the poll tax in said county; but in no case shall the entire poll tax exceed in any one year three dollars in each poll. No criminal proceeding shall be allowed to enforce the collection of the poll tax.

SEC. 244. On and after the first day of January, A. D. 1892, every elector shall, in addition to the foregoing qualifications, be able to read any section of the Constitution of this State, or he shall be able to understand the same when read to him, or give a reasonable interpretation thereof. A new registration shall be made before the next ensuing election after January the 1st, A. D. 1892.

SEC. 245. Electors in municipal elections shall possess all the qualifications herein prescribed, and such additional qualifications as may be provided by law.

SEC. 246. Prior to the first day of January, A. D. 1896, the elections by the people in this State shall be regulated by an ordinance of this Convention.

SEC. 247. The Legislature shall enact laws to secure fairness in party primary elections, conventions or other methods of naming party candidates.

SEC. 248. Suitable remedies, by appeal or otherwise, shall be provided by law, to correct illegal or improper registration, and to secure the elective franchise to those who may be illegally or improperly denied the same.

SEC. 249. No one shall be allowed to vote for members of the Legislature or other officers who has not been duly registered under the Constitution and laws of this State, by an officer of this State legally authorized to register the voters thereof. And registration under the Constitution and laws of this State is hereby declared to be an essential and necessary qualification to vote at any and all elections.

SEC. 250. All qualified electors, and no others, shall be eligible to office, except as otherwise provided in this Constitution.

SEC. 251. Electors shall not be registered within four months next before any election at which they may offer to vote; but appeals may be heard and determined, and revision take place, at any time prior to the election; and no person who, in respect to age and residence, would become entitled to vote within the said four months, shall be excluded from registration on account of his want of qualification at the time of registration.

SEC. 252. The term of office of all elective officers under this Constitution shall be four years, except as otherwise provided herein. A general election for all elective officers shall be held on the Tuesday next after the first Monday of November, A. D. 1895, and every four (4) years thereafter; *provided*, the Legislature may change the day and date of general elections to any day and date in October, November or December.

SEC. 253. The Legislature may, by a two-thirds vote of both Houses, of all members elected, restore the right of suffrage to any person disqualified by reason of crime; but the reasons therefor shall be spread upon the journals, and the vote shall be by yeas and nays.

Article XIII, being on the Apportionment of Counties simply, is omitted.

ARTICLE XIV.

General Provisions.

SEC. 257. The political year of the State of Mississippi shall commence on the first Monday of January in each year.

SEC. 258. The credit of the State shall not be pledged or loaned in aid of any person, association or corporation; and the State shall not become a stockholder in any corporation or association, nor assume, redeem, secure or pay any indebtedness or pretended indebtedness alleged to be due by the State of Mississippi, to any person, association, or corporation, whatever, claiming the same as owners, holders, or assignees of any bond or bonds now generally known as "Union Bank" bonds and "Planters' Bank" bonds.

SEC. 259. No county seat shall be removed unless such removal be authorized by two-thirds of the electors of the county voting therefor; but when the proposed removal shall be toward the center of the county, it may be made when a majority of the electors participating in the election shall vote therefor.

SEC. 260. No new county shall be formed unless a majority of the qualified electors voting in each part of the county or counties proposed to be dismembered and embraced in the new county, shall separately vote therefor; nor shall the boundary of any judicial district in a county be changed unless at an election held for that purpose, two-thirds of those voting assent thereto. The elections provided for in this and the section next preceding shall not be held in any county oftener than once in four years. No new county shall contain less than four hundred square miles, nor shall any existing county be reduced below that size.

SEC. 261. The expenses of criminal prosecutions, except those before justices of the peace, shall be borne by the county in which such prosecutions shall be begun; and all net fines and forfeitures shall be paid into the treasury of such county. Defendants in cases of conviction may be taxed with the costs.

SEC. 262. The Board of Supervisors shall have power to provide homes or farms as asylums for those persons who, by reason of age, infirmity, or misfortune, may have claims upon the sympathy and aid of society, and the Legislature shall enact suitable laws to prevent abuses by those having the care of such persons.

SEC. 263. The marriage of a white person with a negro or mulatto, or person who shall have one-eighth or more of negro blood, shall be unlawful and void.

SEC. 264. No person shall be a grand or petit juror unless a qualified elector and able to read and write; but the want of any such qualifications in any juror shall not vitiate any indictment or verdict. The Legislature shall provide by law for procuring a list of persons so qualified, and the drawing therefrom of grand and petit jurors for each term of the Circuit Court.

SEC. 265. No person who denies the existence of a Supreme Being shall hold any office in this State.

SEC. 266. No person holding or exercising the rights or powers of any office of honor or profit, either in his own right, or as a deputy, or while otherwise acting for or in the name, or by the authority of another, under any foreign government, or under the government of the United States, shall hold or exercise in any way the rights and powers of any office of honor or profit under the laws or authority of this State, except Notaries, Commissioners of Deeds and United States Commissioners.

SEC. 267. No person elected or appointed to any office or employment of profit under the laws of this State, or by virtue of any ordinance of any municipality of this State, shall hold such office or employment without personally devoting his time to the performance of the duties thereof.

SEC. 268. All officers elected or appointed to any office in this State, except judges and members of the Legislature, shall, before entering upon the discharge of the duties thereof, take and subscribe the following oath: "I ———, do solemnly swear (or affirm) that I will faithfully support the Constitution of the United States and the Constitution of the State of Mississippi, and obey the laws thereof; that I am not disqualified from holding the office of———; that I will faithfully discharge the duties of the office upon which I am about to enter. So help me God."

SEC. 269. Every devise or bequest of lands, tenements or hereditaments, or any interest therein, of freehold, or less than freehold, either present or future, vested or contingent, or of any money directed to be raised by the sale thereof, contained in any last will and testament, or codicil, or other testamentary writing, in favor of any religious or ecclesiastical corporation, sole or aggregate, or any religious or ecclesiastical society, or to any person or body politic in trust, either express

or implied, secret or resulting, either for the use and benefit of such religious corporation, society, denomination or association, or for the purpose of being given or appropriated to charitable uses or purposes, shall be null and void, and the heir-at-law shall take the same property so devised or bequeathed as though no testamentary disposition had been made.

SEC. 270. Every legacy, gift or bequest of money or personal property, or of any interest, benefit or use therein, either direct, implied, or otherwise contained in any last will and testament or codicil, in favor of any religious or ecclesiastical corporation, sole or aggregate, or any religious or ecclesiastical society, or to any religious denomination or association, either for its own use or benefit, or for the purpose of being given or appropriated to charitable uses, shall be null and void, and the distributees shall take the same as though no such testamentary disposition had been made.

SEC. 271. The Legislature may provide for the consolidation of existing counties, if a majority of the qualified electors of such counties voting at an election held for that purpose, shall vote therefor.

SEC. 272. The Legislature shall provide by law pensions for indigent soldiers and sailors who enlisted and honorably served in the Confederate army or navy in the late Civil war, who are now resident in this State, and are not able to earn a support by their own labor. Pensions shall also be allowed to the indigent widows of such soldiers or sailors now dead, when from age or disease they can not earn a support. Pensions shall also be allowed to the wives of such soldiers or sailors upon the death of the husband, if disabled and indigent as aforesaid. Pensions granted to widows shall cease upon their subsequent marriage.

ARTICLE XV.

Amendments to the Constitution.

SEC. 273. Whenever two-thirds of each house of the Legislature shall deem any change, alteration, or amendment necessary to this Constitution, such proposed change, alteration, or amendment shall be read and passed by a two-thirds vote of each house respectively, on each day for three several days. Public notice shall then be given by the Secretary of State, at least three months preceding an election at which the qualified electors shall vote directly for or against such change, alteration, or amendment; and if more than one amendment shall be submitted at one time, they shall be submitted in such manner and form that the people may vote for or against each amendment separately; and if it shall appear that a majority of the qualified electors voting shall have voted for the proposed change, alteration, or amendment, then it shall be inserted by the next succeeding Legislature as a part of this Constitution, and not otherwise.

SCHEDULE.

That no inconvenience may arise from the changes in the Constitution of this State, and in order to carry the new Constitution into complete operation, it is hereby declared that :

SEC. 274. The laws of this State now in force, not repugnant to this Constitution, shall remain in force until amended or repealed by the Legislature or until they expire by limitation. All statute laws of this State repugnant to the provisions of this Constitution, except as provided in the next three sections, shall continue and remain in force until the first day of April, A. D. 1892, unless sooner repealed by the Legislature.

SEC. 275. All laws of this State which are repugnant to the following portions of this Constitution shall be repealed by the adoption of this Constitution, to-wit, laws repugnant to: (a) All the ordinances of this convention. (b) The provisions of Section 183, prohibiting counties, cities and towns from voting subscriptions to railroad and other corporations or associations. (c) The provisions of Sections 223 to 226, inclusive, of Article X, prohibiting the leasing of penitentiary convicts.

SEC. 276. All laws of the State which are repugnant to the provisions of Sections 240 to 253, inclusive, of Article XII., on the subject of franchise and elections, shall be and remain in force until the first day of January, A. D. 1891, and no longer.

SEC. 277. All laws of this State which are repugnant to the provisions of Article XIII., Sections 254 to 256, inclusive, on the subject of the Apportionment of Representatives and Senators in the Legislature, shall be and remain in force until the first of October, A. D. 1891, but no longer.

SEC. 278. The Governor shall, as soon as practicable, appoint three suitable persons, learned in the law, as commissioners, whose duty it shall be to prepare and draft such general laws as are contemplated in this Constitution, and such other laws as shall be necessary and proper to put into operation the provisions thereof, and as may be appropriate to conform the general statutes of the State to the Constitution. Said commissioners shall present the same when prepared to the Legislature at its next regular session. And the Legislature shall provide reasonable compensation therefor.

SEC. 279. All writs, actions, causes of action, proceedings, prosecutions, and rights of individuals and bodies corporate, and of the State, and charters of incorporation, shall continue ; and all indictments which shall have been found, or which shall hereafter be found, and all prosecutions begun, or that may be begun, for any crime or offense committed before the adoption of this Constitution, may be proceeded with and upon as if no change had taken place.

SEC. 280. For the trial and determination of all suits, civil and criminal, begun before the adoption of this Constitution, the several courts of this State shall continue to exercise in said suits the power and jurisdictions heretofore exercised by them ; for all other matters

said courts are continued as organized courts under this Constitution, with such powers and jurisdiction as is herein conferred on them respectively.

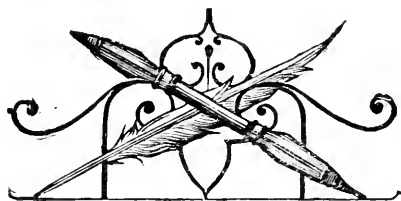
SEC. 281. All fines, penalties, forfeitures, and escheats accruing to the State of Mississippi under the Constitution and laws heretofore in force shall accrue to the use of Mississippi under this Constitution, except as herein otherwise provided.

SEC. 282. All recognizances, bonds, obligations, and all other instruments entered into or executed before the adoption of this Constitution, to the State of Mississippi, or to any State, county, public or municipal officer or body, shall remain binding and valid, and the rights and liabilities upon the same shall be continued, and may be prosecuted as provided by law.

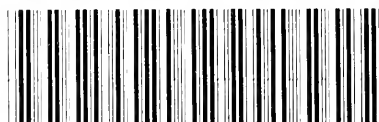
SEC. 283. All crimes and misdemeanors and penal actions shall be tried, prosecuted, and punished as though no change had taken place, until otherwise provided by law.

SEC. 284. All officers, State, district, county, and municipal, now in office in this State, shall be entitled to hold the respective offices now held by them, except as herein otherwise provided, and until the expiration of the time for which they were respectively elected or appointed, and shall receive the compensation and fees now fixed by the statute laws in force when this Constitution is adopted.

SEC. 285. The adoption of this Constitution shall not have the effect, nor shall it be construed, to revive or put in force any law heretofore abrogated or repealed.



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